

**QUARTERLY FEDERAL COURT
LITIGATION STATUS REPORT**

Office of the General Counsel
Bureau of Competition
Bureau of Consumer Protection
Regional Offices

March 31, 2003

No. 76

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SUMMARY OF CASES

D. Ct. Ct. App.¹ S. Ct. Total

PETITIONS FOR REVIEW		2		2
INJUNCTION AND CONSUMER REDRESS CASES	94	10		104
CIVIL PENALTY AND ENFORCEMENT CASES	19	1		20
SUBPOENA AND CID ENFORCEMENTS	2	1		3
SUITS TO ENJOIN FTC ACTION AND OTHER DEFENSIVE LITIGATION	10	1		11
AMICUS CURIAE BRIEFS	1	2	2	5
TOTALS	126	17	2	145

¹ Includes all cases in which appellate proceedings have taken place during the reporting period or are pending; these cases are not counted in the District Court column, even if such proceedings are going on simultaneously.

PETITIONS FOR REVIEW

A) Orders to Cease and Desist

(None Pending)

B) Rulemakings

MAINSTREAM MARKETING SERVICES, INC., v. FTC, No. 03-9512 (10th Cir.)

Parties: Mainstream Marketing Services, Inc.
TMG Marketing, Inc.
American Teleservices Association

Assigned Attorney: Lawrence DeMille-Wagman (OGC)

Nature of Action: Petition challenging the amendments to the Telemarketing Sales Rule.

Status: Petition filed 1/29/03.
Order requesting memorandum briefs regarding the court's jurisdiction
entered 3/4/03.
Petitioners' memorandum brief filed 3/25/03.

U.S. SECURITY, CHARTERED BENEFIT SERVICES, INC., v. FTC, No. 03-9513 (10th Cir.)

Parties: U.S. Security, Chartered Benefit Services, Inc.
Global Contact Services, Inc.
Infocision Management Corp.
Direct Marketing Association

Assigned Attorney: Lawrence DeMille-Wagman (OGC)

Nature of Action: Petition challenging the amendments to the Telemarketing Sales Rule.

Status: Petition filed 2/3/03.
Order requesting memorandum briefs regarding the court's jurisdiction
entered 3/4/03.
Petitioners' memorandum brief filed 3/20/03.

INJUNCTION AND CONSUMER REDRESS CASES

(A) Preliminary Injunctions (Mergers/Acquisitions)

(None pending)

(B) Preliminary Injunctions (Other)

(None pending)

(C) Permanent Injunctions/Consumer Redress²

FTC v. 1ST BENEFICIAL CREDIT SERVICES LLC, No. 02-CV-1591 (N.D. Ohio)

Parties: 1st Beneficial Credit Services LLC, d/b/a First Beneficial Credit Services,
First Beneficial Credit Services, Inc., and American Capitol
Platinum Express Benefits LLC
Viktor Golub, a/k/a Victor Golub
Armand Petrov
American Capitol Benefits LLC
Glen Stevens, a/k/a Glenn Stevens and Glen Rabin

Assigned Attorneys: Michael Milgrom (ECR)
Jon Miller Steiger

Alleged Conduct: Deceptive practices in violation of Section 5 and the Telemarketing Sales
Rule in connection with the telemarketing of advance fee credit cards.

Status: Complaint filed 8/14/02.
TRO with asset freeze entered 8/14/02.
Stipulated preliminary injunction entered 9/9/02.
Amended complaint naming additional defendants: American Capitol
Benefits LLC and Armand Petrov filed 9/23/02.
Motion for TRO against defendants American Capitol Benefits LLC and
Armand Petrov filed 9/26/02.
Stipulated preliminary injunction entered 10/28/02.
Second amended complaint adding defendant Glen Stevens filed 3/25/03.

² Unless otherwise noted, cases involve suits for permanent injunction and other equitable relief. Post-judgment proceedings in district court are not generally reported.

FTC v. 1492828 ONTARIO INC., No. 02C 7456 (N.D. Ill.)

Parties: 1492828 Ontario Inc., d/b/a First Capital Consumers Group, US
Guardian United Consumers, Trans America United Benefits
Group, Transglobal National Consumers Group, and First
Guardian National Benefits
1533649 Ontario Inc., d/b/a Inter Office Marketing Services, Capital
Communications, US Guardian United Consumers, Trans America
United Benefits Group, Transglobal National Consumers Group, and
First Guardian National Benefits
David Dalglish
Leslie Anderson
Lloyd Prudenza
Mark Lennox
Paul Schroeder, d/b/a Paul Schroeder & Associates, PS&A, and Your
Benefitz

Assigned Attorneys: Karen D. Dodge (MWR)
John C. Hallerud

Alleged Conduct: Deceptive practices in violation of Section 5 and the Telemarketing Sales
Rule in connection with the telemarketing of false pre-approved credit
cards.

Status: Complaint filed 10/17/02.
TRO with asset freeze entered 10/17/02.
Order for preliminary injunction entered 10/28/02.
Amended complaint for permanent injunction and other equitable relief
adding defendants 1533649 Ontario Inc., d/b/a Inter Office
Marketing Services, Capital Communications, US Guardian United
Consumers, Trans America United Benefits Group, Transglobal
National Consumers Group, and First Guardian National Benefits;
and Paul Schroeder, d/b/a Paul Schroeder & Associates, PS&A,
and Your Benefitz filed 12/30/02.
Default against 1492828 Ontario Inc., 1533649 Ontario Inc., David
Dalglish, Lloyd Prudenza, and Mark Lennox entered 3/4/03.
Stipulated order for preliminary injunction with asset freeze and other relief
against Paul Schroeder entered 3/14/03.
Order for preliminary injunction with asset freeze and other relief against
1533649 Ontario, Inc. entered 3/27/03.

FTC v. 30 MINUTE MORTGAGE INC., No. 03-60021-CIV-FERGUSON (S.D. Fla.)

Parties: 30 Minute Mortgage Inc.
Gregory P. Roth
Peter W. Stolz

Assigned Attorneys: Amanda Quester (BCP/FP)
T. Kevin Marr

Alleged Conduct: Deceptive practices in violation of Section 5, the Truth in Lending Act and Regulation Z, and Title V of the Gramm-Leach-Bliley Act and the Privacy of Consumer Financial Information Rule in connection with the use of unsolicited commercial e-mails to advertise mortgage loans.

Status: Complaint for injunctive and other equitable relief filed 1/9/03.
Stipulated order for preliminary injunction entered 3/13/03.

FTC v. 564196 B.C. LTD., No. C02-1228Z (W.D. Wash.)

Parties: 564196 B.C. Ltd, d/b/a International Brokers Ltd.
Darren James Danbrook
Clifford Eric Edwards
Iyhab I. S. El-Jabsheh

Assigned Attorney: Mary T. Benfield (NWR)

Alleged Conduct: Deceptive and unfair practices in violation of Section 5 and the Telemarketing Sales Rule in connection with the telemarketing of foreign lotteries.

Status: Complaint for injunctive and other equitable relief filed 6/10/02.
Default judgment entered 12/6/02.

FTC v. 800 CONNECT, INC., No. 03-60150-CIV-MARRA (S.D. Fla.)

Parties: 800 Connect, Inc.
David Stein
ILD Telecommunications, Inc., d/b/a ILD Teleservices, Inc.

Assigned Attorney: Elizabeth A. Hone (BCP/MP)

Alleged Conduct: Unfair and deceptive acts or practices in violation of the Pay-Per-Call Rule and Section 5 in connection with charging for the provision of information services over 800, 888, 877 or other telephone lines widely understood to be toll-free.

Status: Complaint for permanent injunction and other equitable relief filed 2/3/03.
Stipulated final judgment and order for permanent injunction and other equitable relief as to defendant ILD Telecommunications, requiring defendant to pay \$675,000 in equitable relief and approximately \$100,000 in consumer refunds, entered 2/4/03.
Stipulated final judgment and order for permanent injunction and other equitable relief as to defendants 800 Connect, Inc. and David Stein entered 2/4/03.

FTC v. 9068-8425 QUEBEC, INC., No. 1:02-CV-1128 (N.D.N.Y.)

Party: 9068-8425 Quebec, Inc., d/b/a Bio Lab, Cellu-Fight, and Quick Slim
Jean-Francois Brochu

Assigned Attorneys: Tawana E. Davis (BCP/AP)
Dean Forbes
Rona Kelner

Alleged Conduct: Deceptive acts or practices and false advertising in connection with the promotion and sale of a purported weight-loss product and cellulite treatment product in violation of Sections 5(a) and 12 of the FTC Act.

Status: Complaint filed 9/3/02.
Ex parte TRO with asset freeze entered 9/6/02.
Stipulated preliminary injunction with asset freeze entered 10/11/02.

FTC v. 9094-5486 QUEBEC, INC., No. 01-CV-1872 (TJM RFT) (N.D.N.Y.)

Parties: 9094-5486 Quebec, Inc., d/b/a Consumer Resource Services (CRS)
Robin Gear
Nando R. Caporicci, a/k/a Robert Caporicci

Assigned Attorney: Delores G. Thompson (BCP/MP)

Alleged Conduct: Deceptive and unfair practices in violation of Section 5 and the
Telemarketing Sales Rule in connection with an online and telemarketing
scam.

Status: Complaint for injunction and other equitable relief filed 12/10/01.
TRO granted 12/10/01.
Stipulated preliminary injunction against defendants CRS and Robin Gear
entered 1/25/02.
Preliminary injunction against defendant Caporicci entered 1/25/02.
Motion for default judgment against defendants filed 6/6/02.
Default judgment and permanent injunction order entered 10/17/02.

FTC v. ABRAHAM, No. 03-0030 VAP SGLx (C.D. Cal.)

Parties: Yad Abraham, a/k/a Tim Thorn and Timothy Thorn, d/b/a Sharpthorn
Internet Solutions
Internex, LLC

Assigned Attorneys: Lemuel W. Dowdy (WR-LA)
Raymond E. McKown
Victor F. DeFrancis (BCP/ENF)

Alleged Conduct: Deceptive practices in violation of Section 5 in connection with the
marketing of phony international drivers' licenses via unsolicited
commercial emails ("spam") and the internet.

Status: Complaint for injunctive and other relief filed 1/8/03.
TRO with asset freeze and an order to show cause why a preliminary
injunction should not issue as to defendant Internex LLC entered
1/8/03.
TRO with asset freeze and an order to show cause why a preliminary
injunction should not issue as to defendant Yad Abraham entered
1/8/03.
Preliminary injunction as to Yad Abraham entered 1/23/03.
Preliminary injunction as to Internex, LLC entered 2/3/03.

FTC v. ACCENT MARKETING, INC., No. 02-405 (S.D. Ala.)

Parties: State of Maryland, co-plaintiff
Accent Marketing, Inc., d/b/a Accent Marketing of Alabama, Inc.
Monarch Vending, Inc.
Vend 1 One, Inc.
John Nolan White, a/k/a Nolan White
John Byron White, a/k/a Byron White

Assigned Attorneys: Michael Mora (BCP/MP)
Colleen Robbins
Dale Cantone (Asst. Att’y Gen. MD)

Alleged Conduct: Deceptive and unfair practices in violation of Section 5 and the Franchise Rule in connection with the promotion and sale of vending machine business ventures.

Status: Complaint filed 6/4/02.
Ex parte TRO entered 6/11/02.
Preliminary injunction hearing held 6/11/02.
Order granting preliminary injunction entered 7/1/02.

FTC v. AMERICA'S SHOPPING NETWORK, INC., No. 02-80540-CIV-HURLEY/LYNCH (S.D. Fla.)

Parties:	America's Shopping Network, Inc. Consumer Services, Inc. Karen A. Zagami Carianne Sica, a/k/a Carrie Sicone Louis S. Gangi HME, Inc. John M. Epstein
Assigned Attorney:	Thomas A. Cohn (NER)
Alleged Conduct:	Deceptive practices in violation of Section 5 in connection with the offering for sale and sale of work-at-home employment opportunities.
Status:	Complaint for injunctive and other equitable relief filed 6/11/02. TRO entered 6/11/02. Preliminary injunction hearing held 6/19/02 and 6/21/02. Order granting preliminary injunction in part and dissolving asset freeze and temporary receivership entered on 7/23/02. Magistrate's recommendation that Court order the Commission to pay costs of temporary receiver entered 9/9/02. Order that the Commission pay temporary receiver's costs entered 10/31/02. Proposed stipulated permanent injunction as to defendants HME, Inc. and John M. Epstein filed 2/24/03.

FTC v. ASSAIL, INC., No. W03-CA-007 (W.D. Tex.)

Parties: Assail, Inc.
 Kyle Kimoto
 Cliff Dunn
 Mike Hendricksen
 Infinium, Inc.
 Market-Rep.com, Inc., d/b/a/ Market-Reps.com, Inc.
 Brian Schofield
 Specialty Outsourcing Solutions, Ltd.
 Jay Lankford
 Lee Murphy
 Summit Communications International, Inc., d/b/a Advantage Capital

 Benefits
 Matthew Ho
 Capital First Benefits, Inc.
 Ben Lee
 Premier One Benefits, Inc.
 Johnson Salanga

Assigned Attorneys: Lawrence Hodapp (BCP/MP)
 Robert S. Kaye
 Jonathan Kraden

Alleged Conduct: Deceptive practices in violation of Section 5, the Telemarketing Sales Rule
 and the Gramm-Leach-Bliley Act in connection with an advance fee credit
 card scam.

Status: Complaint for injunctive and other equitable relief filed 1/9/03.
 Ex parte TRO with asset freeze entered 1/9/03.
 Stipulated preliminary injunction order as to defendants Brian Schofield,
 Infinium, Inc., and Market-Rep.com, Inc. entered 2/4/03.
 Stipulated preliminary injunction order as to defendants Specialty
 Outsourcing Solutions, Ltd., Jay Lankford, and Lee Murphy
 entered 2/4/03.
 Preliminary injunction order as to defendants Assail, Inc., Kyle Kimoto,
 Cliff Dunn, Mike Hendricksen, Summit Communications
 International, Inc., Matthew Ho, Capital First Benefits, Inc., Ben
 Lee, Premier One Benefits, Inc., and Johnson Salanga entered
 2/4/03.

FTC v. ASSOCIATED RECORD DISTRIBUTORS, INC., No. 02-CV-21754 (S.D. Fla.)

Parties: Associated Record Distributors, Inc.
Alfredo Susi
Russell Macarthur
David Siegel
Brian Morgenstern

Assigned Attorneys: Elizabeth A. Hone (BCP/MP)
Sarah Anne L. Cutler

Alleged Conduct: Deceptive practices in violation of Section 5 and the Franchise Rule in connection with the promotion and sale of audio cassette and compact disc display rack business ventures.

Status: Complaint filed 6/12/02.
Stipulated preliminary injunction as to Associated Record Distributors, Alfredo Susi, and Russell MacArthur entered 6/27/02.
Jury trial set for 8/11/03.

FTC v. BAY AREA BUSINESS COUNCIL, INC., No. 02C-5762 (N.D. Ill.)

Parties: Bay Area Business Council, Inc.
Bay Area Business Council Customer Service Corp.
American Leisure Card Corp.
Bay Memberships, Inc.
Sr. Marketing Consultants, Inc.
Special Technologies, Inc.
Bay Vacations, Inc
Peter J. Porcelli, II
Christopher Tomasulo
Bonnie A. Harris

Assigned Attorneys: David A. O'Toole (MWR)
Guy G. Ward

Alleged Conduct: Deceptive practices in violation of Section 5 and the Telemarketing Sales Rule in connection with the telemarketing of advance fee credit cards.

Status: Complaint filed 8/13/02.
TRO entered 8/14/02.
Orders extending TRO entered 8/21/02; 8/26/02; 9/11/02.
Stipulated preliminary injunction entered 10/2/02.
Amended complaint adding defendants Bay Memberships, Inc., Sr. Marketing Consultants, Inc., Special Technologies, Inc., and Bay Vacations, Inc. filed 10/22/02.
Commission's motion to add Bay Vacations, Bay Membership, Sr. Marketing Consultants and Special Technologies to the receivership filed 10/26/02; defendants' response filed 2/27/03; Commission's reply filed 3/13/03.
Defendants Bay Membership, Sr. Marketing Consultants and Special Technologies' ch. 11 bankruptcy petitions, in Middle District of Florida, filed 11/1/02; Commission's motions to dismiss bankruptcy petitions filed 1/31/03.
Defendant Bay Vacations' motion to dismiss filed 11/27/02; Commission's response filed 1/10/03; defendants' reply filed 2/27/03; denied 3/13/03.
Defendants Bay Area Business Council, Bay Area Business Council Customer Service, American Leisure Card, Porcelli and Harris' answer and counterclaim filed 11/27/02.
Defendants Bay Memberships, Inc., Sr. Marketing Consultants and Special Technologies' answers to amended complaint filed 1/16/03.
Commission's motion to dismiss counterclaim and strike affirmative defenses filed 1/27/03; defendants' response filed 2/27/03; Commission's reply filed 3/13/03.

FTC v. BLAIR PUBLICATIONS GROUP, INC., No. 03-CV-627 (C.D. Cal.)

Parties: Blair Publications Group, Inc.
Martin B. Cohen

Assigned Attorney: Jennifer Larabee (WR-LA)

Alleged Conduct: Deceptive practices in violation of Section 5 in connection with the sale of advertisements.

Status: Complaint for injunction and other equitable relief filed 1/28/03.
Stipulated final judgment and order for permanent injunction and other equitable relief entered 1/30/03.

FTC v. BTV INDUSTRIES, No. CVS 02-0437 LRH-PAL (D. Nev.)

Parties: BTV Industries
Rik Covell
Adam Lewis
National Communications Team, Inc.
LO/AD Communications Corp.
Nicholas Loader

Assigned Attorneys: David C. Fix (BCP/MP)
Renard C. Francois

Alleged Conduct: Deceptive practices in violation of Section 5 and the Pay-Per-Call Rule in connection with the operation of a videotext/spam program.

Status: Complaint for permanent injunction and other equitable relief filed 3/28/02.
Ex parte TRO entered 4/16/02.
Order extending TRO entered 5/1/02.
Motion to dismiss for lack of personal jurisdiction as to defendants Adam Lewis and Rik Covell filed 5/24/02.
Defendant BTV Industries' motion to dismiss Counts IV and V filed 5/24/02.
Order extending TRO entered 5/25/02.
Defendants' response to motion for preliminary injunction filed 6/4/02.
Order extending TRO entered 6/10/02.
Defendant BTV Industries' motion for partial summary judgment filed 6/17/02.
Commission's opposition to BTV Industries' motion to dismiss Counts IV and V filed 6/18/02.
Order extending TRO entered 7/22/02.
Motion to extend TRO and vacate preliminary injunction hearing filed 8/13/02; granted 8/14/02.
Stipulated final judgment and order for permanent injunction as to defendants National Communications Team, Inc., LO/AD Communications Corp., and Nicholas Loader entered 11/20/02.

FTC v. CANADA PREPAID LEGAL SERVICES, INC., No. C00-2080 Z (W.D. Wash.)

Parties: Canada Prepaid Legal Services, Inc., d/b/a BSI Premium Bonds
David John Edwin Hyde
Joseph Shawn Proulx
E.R.S. Holdings Ltd.
Neil John Schuler
ITH Enterprises Ltd.
Kailey Lewis Babuin
NAGG Holdings Ltd.
Wayne Weis
Timothy Ryan Babuin
557631 B.C. Ltd., d/b/a Guaranteed Capital Holdings
Fernando Villagran
Calgary Concrete and Home Improvement Corp., d/b/a Union Global
Trading
Martin Roy Lamb

Assigned Attorneys: Mary T. Benfield (NWR)
Charles Harwood
Eleanor Durham

Alleged Conduct: Deceptive and unfair practices in violation of Section 5 and the
Telemarketing Sales Rule in connection with the sale of savings bonds.

Status: Complaint filed and ex parte TRO with asset freeze and receiver entered
12/11/00.
TRO extended as to eight defendants, 12/21/00.
Preliminary injunction as to four defendants entered 12/29/00.
Preliminary injunction as to eight other defendants entered 1/19/01.
Motion to amend preliminary injunctions filed 2/20/01; granted 3/27/01.
Answer by defendant Wayne Weiss filed 3/31/01.
Answer by defendant Neil Schuler filed 5/24/01.
Request for entry of default as to David Hyde; ERS Holdings, Ltd.; ITH
Enterprises, Ltd.; NAGG Holdings, Ltd.; Fernando Villagran;
Guaranteed Capital Holdings; Martin Lamb; and Union Global
Trading filed 6/19/01.
Order for entry of default to above-mentioned defendants entered 6/26/01.
Default as to Kailey Babuin entered 11/19/01.
Default judgment and order for permanent injunction as to all defendants
listed in request for entry of default and Kailey Babuin entered
2/15/02.
Motion for summary judgment as to Timothy Babuin filed 2/15/02.
Stipulated order for permanent injunction and other equitable relief as to
Wayne Weis filed 6/3/02; entered 6/5/02.

Stipulated order for permanent injunction and other equitable relief as to

Neil Schuler filed 6/3/02; entered 6/5/02.

Stipulated order for permanent injunction and other equitable relief as to

defendants Joseph Shawn Prolux and Canada Prepaid Legal
Services, Inc. entered 8/29/02.

FTC v. CAPITAL CHOICE CONSUMER CREDIT, INC., No. 02-21050-CIV-Ungaro-Benages
(S.D. Fla.)

Parties: Capital Choice Consumer Credit, Inc., d/b/a National Credit Shopper and
NCS
Millennium Communications and Fulfillment, Inc., d/b/a National Research
Group
E-Credit Solutions, Inc.
Zentel Enterprises, Inc.
Ecommex Corporation
Hartford Auto Club, Inc.
Ricardo E. Martinez
Scott A. Burley
Johnnie Smith
Wilfredo Lugo

Assigned Attorneys: Brinley H. Williams (ECR)
Michael Milgrom
Brenda W. Doubrava
Michael B. Rose

Alleged Conduct: Deceptive practices in violation of Section 5 and the Telemarketing Sales
Rule in connection with the marketing and sale of advance-fee credit cards.

Status: Complaint for injunctive and other equitable relief filed 4/8/02.
TRO entered 4/9/02; served 4/22/02.
Amended complaint for injunctive and other equitable relief in order to add
defendant Ecommex, Corp. filed 4/22/02.
Stipulated preliminary injunction as to defendants Scott Burley and E-Credit
Solutions entered 4/22/02.
Preliminary injunction hearing held for remaining defendants on 4/19/02
and 4/22/02.
Consent agreement for preliminary injunctive relief as to Exommex Corp.,
Millennium Communications, Capital Choice Consumer Credit, Inc.,
and Ricardo Martinez entered 4/23/02.
Second amended complaint adding Johnnie Smith, Willfredo Lugo, and
Zentel Enterprises as additional defendants filed 8/8/02.
Motion for partial summary judgment against defendants Capital Choice
Consumer Credit, Millennium Communications and Fulfillment, and
Ecommex Corp. filed 1/24/03.
Response in opposition to motion for partial summary judgment filed
2/20/03.
Reply in support of motion for partial summary judgment filed 3/3/03.
Jury trial rescheduled for 6/30/03.

FTC v. CAPITAL CITY MORTGAGE CORP., Civ. No. 98-237 (D.D.C.)

Parties: Capital City Mortgage Corp.
Eric J. Sanne
Thomas K. Nash
Katherine R. Nash
Ann E. Nash
Carolyn D. Nash
Alan W. Nash
Donald S. Nash

Assigned Attorneys: Bradley H. Blower (BCP/FP)
Sandra M. Wilmore
Alain H. Sheer
Amy Quester

Alleged Conduct: Violations of Section 5, the Truth in Lending Act, the Fair Debt Collection Practices Act, and the Equal Credit Opportunity Act by a “subprime” mortgage lender.

Status: Complaint filed 1/28/98.
Defendants’ motion for summary judgment denied 7/13/98.
Defendants’ motion for protective order limiting discovery denied 8/28/98.
Amended complaint adding defendant filed 3/11/99.
Separate motions for partial summary judgment filed by the Commission and the defendants, 1/21/00.
Commission’s motion for partial summary judgment granted in part, denied in part, 10/10/00.
Trial originally scheduled for 4/6/02 postponed after the death of defendant Thomas K. Nash. No new trial date set.
Motion to file a second amended complaint to add relief defendants necessitated by the death of defendant Nash filed 4/17/02.
Temporary asset freeze against Capital City Mortgage Corp. issued 4/26/02.
Order granting motion to file amended complaint adding defendants Katherine R. Nash, Ann E. Nash, Carolyn D. Nash, Alan W. Nash, and Donald S. Nash entered 3/18/03; amended complaint filed 3/19/03.

FTC v. CARLTON PRESS, INC., No. 03-CV-0226-RLC (S.D.N.Y.)

Parties: Carlton Press, Inc.
Carlton Press, Ltd.
Kim Fleming Bo Weiss

Assigned Attorneys: Gregory A. Ashe (BCP/ENF)
Victor F. DeFrancis

Alleged Conduct: Deceptive practices in violation of Section 5 in connection with the sale of
purported International Driving Permits through the internet.

Status: Complaint for injunctive and other relief filed 1/10/03.
Ex parte TRO with asset freeze and order to show cause why preliminary
injunction should not be issued entered 1/14/03.

FTC v. CERTIFIED MERCHANT SERVICES, LTD., No.4:02 CV 44 (E.D. Tex.)

Parties: Certified Merchant Services, Ltd., d/b/a/ Certified Merchant Services;
TMS; CMS, Inc.; Transaction Merchant Services; Transaction
Merchant Services.Com, and Electrocheck
Certified Merchant GP, Inc., d/b/a Certified Merchant Services
Certified Merchant Services, Inc., d/b/a Certified Merchant Services; TMS;
CMS, Inc.; Transaction Merchant Services; Transaction Merchant
Services.Com; Electrocheck
CMS-LP, LLC
Jonathan Frankel
Craig Frankel
Randal A. Best

Assigned Attorneys: Douglas V. Wolfe (BCP/MP)
Michael J. Davis

Alleged Conduct: Deceptive practices in violation of Section 5 in connection with the
marketing and sale of, and debiting for, merchant accounts and associated
services.

Status: Complaint for injunctive and other equitable relief filed 2/11/02.
TRO entered 2/12/02.
Stipulated preliminary injunctions, including asset freeze and appointment
of receiver, entered 3/6/02.
Amended complaint for injunctive and other equitable relief filed 6/14/02.
Two final orders for permanent injunctions and other equitable relief
(amount of monetary relief under seal) entered 12/30/02.

FTC v. CHIVERS, No. 3-02CV1727-G (N.D. Tex.)

Party: Brent Chivers, d/b/a Credit Card Services and Destyni Enterprises

Assigned Attorneys: Gary D. Kennedy (SWR)
W. David Griggs

Alleged Conduct: Deceptive practices in violation of Section 5 and the Telemarketing Sales Rule in connection with the telemarketing of advance fee credit cards.

Status: Complaint filed 8/14/02.
TRO entered 8/14/02.
Stipulated preliminary injunction entered 8/19/02.

FTC v. CITIGROUP INC., No. 1:01-cv-606-JTC (N.D. Ga.)

Parties: Citigroup Inc.
Citifinancial Credit Company
Associates First Capital Corporation
Associates Corporation of North America

Assigned Attorneys: Lucy E. Morris (BCP/FP)
Ricardo A. Gonzalez
Robert Kaye
Karen Schaefer
Monica Vaca
Valerie M. Verduce (SER)

Alleged Conduct: Deceptive or unfair practices in violation of Section 5, and violation of the Truth in Lending Act, the Equal Credit Opportunity Act, and the Fair Credit Reporting Act in connection with subprime lending activities.

Status: Complaint filed 3/6/01.
Defendants' motion to dismiss filed 4/16/01.
Commission's opposition to motion to dismiss filed 5/16/01.
Joint preliminary statement and discovery schedule filed 5/16/01.
Commission's response to initial disclosure filed 7/5/01.
Defendants' responses to initial disclosures filed 7/6/01.
Order denying defendants' motion to dismiss entered 12/27/01.
Defendants' answer filed 1/14/02.
Joint stipulated protective order entered 3/20/02.
Order preliminarily approving stipulated final judgment and order requiring
defendants to pay \$215 million in consumer redress entered
9/23/02.
Amended order preliminarily approving stipulated final judgment and order
entered 2/26/03.

FTC v. COMSTAR COMMUNICATIONS, INC., No. CIV-S-02-0348 MCE-JFM (E.D. Cal.)

Parties: Comstar Communications, Inc., a/k/a Communications 2000
Randall A. Carasco

Assigned Attorneys: Daniel Kaufman (BCP/AP)
Serena Viswanathan
Edmund Brennan (AUSA)

Alleged Conduct: Deceptive practices in violation of Sections 5 and 12 in connection with the sale of cellular phone electromagnetic radiation protector patches.

Status: Complaint for permanent injunction and other equitable relief filed 2/13/02.

FTC v. CONSUMER ALLIANCE, INC., No. 02C-2429 (N.D. Ill.)

Parties: Consumer Alliance, Inc., a/k/a 1421914 Ontario Inc.
Biosource Financial, Inc.
Steven Winter
Gordon Levoy
Jason C. Williams
Danny Longo

Assigned Attorney: David A. O'Toole (MWR)

Alleged Conduct: Unfair and deceptive practices in violation of Section 5 and the Telemarketing Sales Rule in connection with the telemarketing of advance fee credit card services and credit card protection services.

Status: Complaint for injunctive and other equitable relief filed 4/2/02.
Commission's motion for summary judgment filed 1/30/03.
Defendants Biosource, Levoy, Williams and Longo's response to motion for summary judgment filed 3/14/03.
Commission's reply in support of summary judgment filed 3/21/03.

FTC v. CORPORATE MARKETING SOLUTIONS, INC., No. 02-1256 (D. Ariz.)

Parties: Corporate Marketing Solutions, Inc.
Corporate Industries, Inc.
ATM Machine Wrap, Inc.
Direct Wireless +, Inc.
Bankcard Recovery Services, Inc.
National Consolidation Foundation, Inc.
Sierra Management Properties, Inc.
Harvey Sloniker, d/b/a Corporate Marketing Services
Tye Sloniker, d/b/a Corporate Marketing Services

Assigned Attorneys: David R. Spiegel (BCP/MP)
Peter W. Lamberton
Michelle Chua
Markus Heyder

Alleged Conduct: Deceptive acts or practices in violation of Section 5, the Telemarketing Sales Rule, and the Gramm-Leach-Bliley Act in connection with the offering for sale and sale of various telemarketing operations.

Status: Complaint for injunctive and other equitable relief filed 7/8/02.
TRO entered 7/8/02.
Preliminary injunction entered 7/23/02.
Stipulated judgment and order for permanent injunction, requiring
defendants to pay \$525,000 in consumer redress entered 2/6/03.

FTC v. CREDIT ENHANCEMENT SERVICES, LLC, No. CV-02-2134 (E.D.N.Y.)

Parties: Credit Enhancement Services, LLC
Liberty Benefits, LLC
Broadway Management, LLC
Check Fee, LLC, a/k/a Titanium Blue
Port of Call Centers, LLC
Port of Call Centers NY, LLC
Frederick J. Dick, Jr.

Assigned Attorney: Michele Stolls (NER)
Ann Weintraub

Alleged Conduct: Deceptive practices in violation of Section 5 and the Telemarketing Sales Rule in connection with the marketing and sale of advance fee credit cards.

Status: Complaint for injunctive and other equitable relief filed 4/9/02.
Stipulated preliminary injunction order, containing an asset freeze provision, entered 5/29/02.
Motion to amend complaint adding defendants Liberty Benefits, LLC; Broadway Management, LLC; Check Fee, LLC, a/k/a Titanium Blue; Port of Call Centers, LLC; Port of Call Centers NY, LLC filed 8/29/02; granted 10/1/02.
Amended complaint filed 10/8/02.
Motion for preliminary injunction as to the new defendants filed 11/4/02.
Stipulated order for preliminary injunction, including asset freeze, as to the new defendants entered 11/7/02.
Commission's statement of material facts not in dispute on motion for summary judgment on liability, with defendants' counter-statement, filed 3/13/03.

FTC v. CSCT, INC., No. 03-C-00880 (N.D. Ill.)

Parties:	CSCT, Inc. CSCT, Ltd. John Leslie Armstrong Michael John Reynolds
Assigned Attorneys:	Katherine Romano Schnack (MWR) Rolando Berrelez
Alleged Conduct:	Deceptive practices in violation of Sections 5 and 12 of the FTC Act in connection with the marketing of purported electromagnetic cancer therapy.
Status:	Complaint for permanent injunction and other equitable relief filed 2/6/03. Ex parte TRO entered 2/11/03. Preliminary injunction entered 2/21/03.

Parties: Cyberspace.com, LLC
French Dreams
Coto Settlement
Electronic Publishing Ventures
Olympic Telecommunications, Inc.
Ian Eisenberg
Chris Hebard

Assigned Attorneys: Collot Guerard (BCP/MP)
Michael Goodman

Alleged Conduct: Deceptive practices in violation of Section 5 in connection with the marketing and sale of Internet services.

Status: Complaint filed 10/20/00.
Stipulated permanent injunction as to defendants Ian Eisenberg, French Dreams, and Olympic Telecommunications filed 10/10/00; entered 10/23/00.
Stipulated permanent injunction as to defendants Chris Hebard and Coto Settlement filed 10/20/00; entered 10/23/00.
Plaintiff's application for entry of default as to Cyberspace.com, LLC and as to Electronic Publishing Ventures, LLC filed 12/18/00.
Orders of default entered against Cyberspace.com, LLC, and Electronic Publishing Ventures, LLC entered 12/21/00.
Answers of defendants C. Hebard and Coto Settlement filed 3/26/01.
Answers and cross-complaint (against C. Hebard and Coto Settlement) of defendants French Dreams, Olympic Telecommunications, Inc., and Ian Eisenberg, filed 3/29/01.
Commission's motion to dismiss debtor EPV's related Chapter 11 bankruptcy case filed 3/29/01.
Notice of withdrawal of disclosure statement by debtor EPV in related Chapter 11 bankruptcy case filed 4/3/01.
Commission's motion to strike affirmative defenses of French Dreams, Olympic Telecommunications and Ian Eisenberg and, separately, to strike those of Coto Settlement and Chris Hebard filed 4/17/01.
Order granting in part and denying in part motions to strike affirmative defenses of Coto Settlement and Chris Hebard and of Ian Eisenberg, Olympic Telecommunications and French Dreams entered 5/30/01.
Order dismissing EPV's related Chapter 11 bankruptcy case entered 6/6/01.
Order granting Commission's motion for summary judgment as to liability, directing parties to try to resolve the amount of consumer redress

through mediation with magistrate, entered 7/10/02.

FTC v. D&C NATIONAL HOLDINGS LTD., No. CV02-1134 (W.D. Wash.)

Parties:	D&C National Holdings Ltd. First British National Holdings Ltd. Omid Tahvili Derrick Squires Reginald Pal
Assigned Attorney:	Joseph A. Lipinsky (NWR)
Alleged Conduct:	Deceptive practices in violation of Section 5 and the Telemarketing Sales Rule in connection with the telemarketing of foreign lotteries and British bonds.
Status:	Complaint for injunctive and other equitable relief filed 5/23/02. TRO entered 5/24/02. Stipulated TRO as to defendants Omid Tahvili, Reginald Pal, and First British National Holdings Ltd., entered 6/12/02. Order for entry of defaults as to defendants Derrick Squires and D&C National Holdings Ltd, entered 12/30/02.

FTC v. DAVISON & ASSOCIATES, INC., No. 97-1278 (W.D. Pa.)

Parties:	Davison & Associates, Inc. Thomas Dowler Manufacturer's Support Services, Inc. Barbara Miele	George M. Davison III Gordon M. Davison Barbara Davison
Assigned Attorneys:	Steven W. Balster (ECR) Michael Milgrom Brenda W. Doubrava Albert W. Schollaert (AUSA)	
Alleged Conduct:	Deceptive practices in the sale of invention-promotion services.	
Status:	Complaint filed 7/15/97. TRO, including asset freeze and appointment of receiver, entered 7/15/97; extended by agreement. Amended complaint adding defendants filed 3/23/98. Stipulated permanent injunction as to defendant Dowler entered 2/22/99. Commission motion for summary judgment filed 4/5/99. Defendants' opposition to summary judgment filed 6/1/99. Commission reply to defendants' opposition to summary judgment filed 6/17/99. Hearing on summary judgment motion held 8/4/99. Commission's motion for preliminary injunction filed 4/3/01. Defendants' response filed 4/25/01. Commission's reply filed 5/4/01. Defendants' reply filed 5/21/01. Memorandum opinion denying Commission's motion for a preliminary injunction entered 3/31/03.	

FTC v. DION, No. 03-40005-NMG (D. Mass.)

Parties: William Scott Dion, d/b/a PT Resource Center and PTRC, a/k/a Don Glessner
Donald Lockwood, d/b/a PT Resource Center and PTRC, and a/k/a Don Glessner
Vivian Lockwood, d/b/a PT Resource Center and PTRC

Assigned Attorneys: Thomas A. Cohn (NER)
Theodore Zang, Jr.

Alleged Conduct: Deceptive practices in violation of Section 5 in connection with the marketing of phony international drivers' licenses via unsolicited commercial emails ("spam") and the internet.

Status: Complaint for injunctive and other equitable relief filed 1/8/03.
Ex parte TRO entered 1/9/03.
Motion for contempt, against Dion for violating asset freeze provision of the TRO, filed 3/26/03.
Amended complaint, adding defendants Donald Lockwood and Vivian Lockwood, filed 3/27/03.
Motion for preliminary injunction filed 3/27/03.
Contempt hearing set for 4/11/03.
Trial set for 5/27/03.

FTC v. DR. CLARK RESEARCH ASSOCIATION, No. 03-CV-54 (N.D. Ohio)

Parties: Dr. Clark Research Association
Dr. Clark Behandlungszentrum GmbH, d/b/a Dr. Clark Zentrum
David P. Amrein

Assigned Attorney: Michael Milgrom (ECR)

Alleged Conduct: Deceptive practices in violation of Sections 5 and 12 in connection with the marketing and sale of dietary supplements and devices that “cure” serious diseases.

Status: Complaint for permanent injunction and other equitable relief filed 1/8/03.
Defendants Dr. Clark Research Association and Amrein’s motions to
dismiss for lack of personal jurisdiction and for improper venue
filed 2/27/03.
Defendant Dr. Clark Behandlungszentrum GmbH’s motions to dismiss for
lack of personal jurisdiction and for improper venue filed 3/27/03.
Opposition to defendants Dr. Clark Research Association and Amrein’s
motions to dismiss for lack of personal jurisdiction and for
improper venue filed 3/27/03.

FTC v. EFFICIENT TELESales SERVICES INC., No. 02C 3776 (N.D. Ill.)

Parties: Efficient Telesales Services Inc., d/b/a U.S. Credit Services and U.S.
Direct Benefits and Savings
Leonora Khan

Assigned Attorneys: Karen D. Dodge (MWR)
John C. Hallerud

Alleged Conduct: Violations of Section 5 and the Telemarketing Sales Rule in connection with the advance fee promotion of credit cards.

Status: Complaint for permanent injunction and other equitable relief filed 5/28/02.
Default entered 1/21/03.
Order for permanent injunction and final judgment entered 2/5/03.

FTC v. ELECTRONIC MEDICAL BILLING, INC., No. CV SA02-368 AHS (ANX) (C.D. Cal.)

Parties: Electronic Medical Billing, Inc., d/b/a EMB Marketing and EMB Inc.
Esoft Caducei, Inc.
John C. Moore
David L. Miller

Assigned Attorneys: Kathryn C. Decker (NWR)
Raymond McKown (WR-LA)

Alleged Conduct: Deceptive practices in violation of Section 5 in connection with the marketing and sale of work-at-home medical billing opportunities.

Status: Complaint for injunctive and other equitable relief filed 4/9/02.
Ex parte TRO, appointment of receiver, and asset freeze entered 4/10/02.
Order extending TRO indefinitely per parties' stipulation entered 4/18/02.
Asset freeze lifted per parties' stipulation entered 6/10/02.
Stipulated preliminary injunction entered 9/25/02.

FTC v. ELECTRONIC PRODUCTS DISTRIBUTION, LLC, No. 02CV0888H (AJB) (S.D. Cal.)

Parties: Electronic Products Distribution, LLC
Thomas Nelson
Holly Hernandez
Energizer Products, Inc.
Ab Energizer, L.L.C.
AbFlex USA, Inc.
Martin Van Der Hoeven

Assigned Attorneys: Walter Gross (BCP/ENF)
Laureen Kapin
Amy Lloyd
Craig Lisher

Alleged Conduct: Deceptive practices in violation of Section 5 in connection with the sale and promotion of an electronic abdominal exercise belt, AB Energizer.

Status: Complaint filed 5/7/02.
Answers for all defendants filed 6/3/02.
Settlement status conference scheduled for 4/23/03.

FTC v. ENFORMA NATURAL PRODUCTS, INC., Nos. 02-57078, 02-56842, 00-56942 (9th Cir.); No. 00-04376 JSL (CWx) (C.D. Cal.)

Parties: Enforma Natural Products, Inc.
Andrew Grey
Fred Zinos

Assigned Attorneys: David P. Frankel (BCP/AP)
Theodore H. Hoppock
Serena Viswanathan
Barbara Chun (WR-LA)
Marilyn E. Kerst (OGC)
Lawrence DeMille-Wagman

Alleged Conduct: Deceptive practices in violation of Sections 5 and 12 in connection with the marketing and sale of weight loss products.

Status: Complaint filed 4/25/00.
Stipulated final judgment as to defendant Zinos filed 4/25/00; entered 5/10/00.
Stipulated final judgment as to defendants Enforma and Grey (including consumer redress of \$10 million) filed 4/25/00; entered 5/11/00.
Corporate defendant's motion to clarify or modify stipulated final judgment filed 10/23/00.
Opposition filed 11/6/00.
Reply filed 11/13/00.
Motion to clarify or modify denied 11/15/00.
Notice of appeal by defendant Enforma Natural Products, Inc. filed 11/19/00.
Emergency motion in court of appeals for stay pending appeal filed 11/20/00.
Opposition filed 11/30/00.
Motion for stay denied 12/7/00.
Application to have defendant Enforma and others held in contempt for violation of stipulated final judgment, filed 1/4/02.
Lower court decision denying motion to clarify or modify final judgment affirmed by court of appeals, 2/12/02.
Second contempt application against defendants Enforma Natural Products, Inc. and Andrew Grey and respondents Twenty-Four Seven, LLC and Donna DiFerdinando filed 7/23/02.
Preliminary injunction regarding weight loss products Accelaron and Chitozyme entered by district court 10/30/02.
Notice of appeal by Enforma Natural Products, Andrew Grey, Twenty-Four Seven, LLC, and Donna DiFerdinando filed 10/31/02.
Appellants' motion for a stay in 9th Circuit (02-56842) filed and denied

11/1/02.
Appellants' opening brief (02-56842) filed 11/29/02; Commission's
response brief filed 2/19/03; appellants' reply filed 3/4/03.
Preliminary injunction regarding weight loss products Fat Trapper Plus and
Exercise In A Bottle entered by district court 12/09/02.
Notice of appeal by Enforma Natural Products, Andrew Grey, and Michael
Ehrman filed 12/12/02.
Appellants' motion for a stay in 9th Circuit (02-57078) filed 12/17/02;
Commission's opposition filed 12/19/02; order denying motion for a
stay entered 12/19/02.
Appellants' opening brief (02-57078) filed 1/9/03; Commission's response
filed 2/6/03; appellants' reply filed 2/19/03.
Contempt hearing in district court held 1/21/03-1/22/03.

FTC v. ERNEST, No. 03-CV-437 (C.D. Cal.)

Party: J. Michael Ernest

Assigned Attorneys: Janet M. Evans (BCP/AP)
Ray McKown (WR-LA)

Alleged Conduct: Deceptive practices in violation of Sections 5 and 12 in connection with the
sale of a purported breast enhancement product.

Status: Complaint for permanent injunction and other equitable relief filed
1/16/03.
Stipulation and order for permanent injunction entered 1/17/03.

FTC v. ESSEX MARKETING GROUP, INC., No. 02-CV-3415 (E.D.N.Y.)

Parties: Essex Marketing Group, Inc.
Westbrook Marketing Group, Inc.
Westbrook Marketing Associates, LLC
Manhattan Vending, LLC
Richard J. Guadagno, a/k/a Rich Dano, Rich Guadano and Richard
Guadagno
Jack G. Schwartz
Henry Sanchez

Assigned Attorneys: Ann F. Weintraub (NER)
Ronald L. Waldman

Alleged Conduct: Deceptive practices in violation of Section 5 and the Franchise Rule in
connection with the offering and sale of vending machine business
ventures.

Status: Complaint for injunctive and other equitable relief filed 6/13/02.
Order that case be put under seal entered 6/14/02.
Stipulated TRO against all parties except Schwartz entered 6/27/02.
Stipulated TRO against Schwartz entered 7/17/02.
Stipulated preliminary injunction against Schwartz entered 10/4/02.
Seal lifted 10/11/02.
Stipulated preliminary injunction against all parties except Schwartz entered
2/27/03.

FTC v. FIRST CAPITAL CONSUMER MEMBERSHIP SERVICES, INC., No. 1:00cv00905
(W.D.N.Y)

Parties: First Capital Consumer Membership Services, Inc.
Worldwide Telcom, Inc.
Louis Giambrone
Charles A. Barone
Forum Marketing Services, Inc.
Edward Velasquez, Jr., a/k/a Edward Velasquez
William John Velasquez
Qualycon of New York, Inc.
EPX (Intervenor)

Assigned Attorneys: Peter W. Lamberton (BCP/MP)
Michael Goodman

Alleged Conduct: Deceptive practices in violation of Section 5 and the Telemarketing Sales Rule in connection with the sale of credit card loss protection services.

Status: Complaint filed 10/23/00.
Ex parte TRO with asset freeze and receiver entered 10/25/00.
Stipulated preliminary injunction entered 11/8/00.
Motion to lift amended TRO filed 11/16/00.
Answer to Complaint by First Capital Inc., Worldwide Telcom Inc, Louis Giambrone, Charles A. Barone filed 11/27/00.
Response by the Commission to motion to lift amended TRO filed 11/27/00.
Motion by the Commission to consolidate cases 00-cv-905 and 00-cv-917 filed 5/16/01.
Order directing clerk to close 00-cv-917 and that all future docketing take place in 00-cv-905 entered 5/30/01.
Amended complaint filed 5/31/01.
Motion to intervene by EPX filed 6/7/01.
Commission's opposition to EPX's motion for intervention filed 7/13/01.
EPX's reply memo of law in support of its motion for intervention filed 8/6/01.
Stipulated judgment for permanent injunction as to First Capital, Worldwide Telcom, Charles Barone, and Louis Giambrone entered 1/10/02.

FTC v. FREECOM COMMUNICATIONS, INC., No. 03-4063 (10th Cir.); No. 2:96CV492 (D. Utah)

Parties: FreeCom Communications, Inc.
American Home Business Association, Inc.
Financial Freedom Report, Inc. Dana P. Gull
Silent Salesforce, Inc. Eleva, Inc.
FFR Marketing, Inc. Mark O. Haroldsen
Robert V. Brazell Don S. Gull
Kelly Haroldsen Annette S. Brazell

Assigned Attorneys: David Newman (WR-SF)
Janice Charter
Larence DeMille-Wagman (OGC)

Alleged Conduct: Deceptive practices in the sale of home-based business ventures.

Status: Complaint filed 6/4/96; stipulated TRO entered 6/14/96.
Motion to dismiss denied 4/21/98.
Consent decree and permanent injunction as to Brazell defendants entered 12/28/98.
Stipulated final judgment as to Haroldsen filed 8/10/99; entered 8/11/99.
Order reassigning the case to another judge entered 12/7/99.
Consent decree as to defendant American Home Business Association filed 9/7/00; entered 9/12/00.
Consent decree and order for preliminary injunction with respect to defendants FreeCom Communications Inc., Freedom Report, Inc., Financial Freedom Report Marketing, Inc. and Silent Salesforce, Inc. filed 10/22/01; entered 10/22/01.
Trial held 10/22/01 through 10/30/01.
Defendant's proposed findings and conclusions adopted, with amendments, 10/30/01.
Judgment for defendant Haroldsen and against the Commission entered 2/12/02.
Commission's motion to amend judgment and amend findings of fact and conclusions of law filed 2/25/02.
Amended judgment entered 3/13/02.
Defendant Brazell's motion for relief from consent decree filed 4/23/02.
Opposition to motion for relief from consent decree filed 5/7/02.
Reply memorandum in support of motion for relief from consent decree filed 5/20/02.
Order denying motion for relief from consent decree entered 7/16/02.
Hearing on defendant Haroldsen's motion for attorney's fees held 9/12/02.
Court's findings of fact and conclusions of law re: attorney's fees and expenses under EAJA entered 1/22/03.

Notice of appeal by the Commission filed 3/24/03.

FTC v. GARVEY, Nos. 03-55179 (9th Cir); 00-9358 GAF (CWx) (C.D. Cal.)

Parties: Steven Patrick Garvey, a/k/a Steve Garvey
Garvey Management Group, Inc.
Lark Kendall, a/k/a Kendall Carson
Mark Levine
Modern Interactive Technology, Inc.
David Richmond

Assigned Attorneys: David P. Frankel (BCP/AP)
Theodore H. Hoppock
Serena Viswanathan
Melvin H. Orlans (OGC)

Alleged Conduct: Deceptive practices in violation of Section 5 in connection with the marketing and sale of a weight loss product.

Status: Complaint filed 8/31/00.
Stipulated final judgment as to defendant Kendall filed 8/31/00; entered 11/15/00.
Order reassigning case to a new judge entered 9/25/00.
Defendants' motion to dismiss filed 10/13/00; denied 11/15/00.
Opposition filed 11/6/00.
Reply filed 11/13/00.
Defendants' answers to complaint filed 12/15/00.
Motion to strike defendants' affirmative defense against the Commission filed 1/4/01; granted 4/24/01.
Commission's motion for partial summary judgment as to defendants Modern Interactive, Mark Levine and David Richmond filed 6/1/01; denied as moot 8/14/01.
Defendants' motion for summary judgment as to all defendants filed 7/2/01; granted 8/13/01 as to defendants Modern Interactive, Mark Levine and David Richmond; denied 8/13/01 as to Steve Garvey and Garvey Management.
Commission's motion for reconsideration filed 8/24/01; denied 9/19/01.
Defendants' motion for summary judgment as to Steve Garvey and Garvey Management filed 10/1/01; denied 11/8/01.
Trial held 3/5/02 through 3/8/02.
Judgment in favor of defendants entered 11/26/02.
Notice of appeal filed 1/23/03.
Commission's brief due 5/12/03.

FTC v. GENERAL SUPPLY CENTERS, INC., No. 99-12827 MMM (RZx) (C.D. Cal.)

Parties: General Supply Centers, Inc.
Mark E. Gershick

Assigned Attorneys: Gerald E. Wright (WR-SF)
Raymond E. McKown (WR-LA)

Alleged Conduct: Deceptive practices in violation of Section 5 and the Telemarketing Sales Rule in connection with the sale of nondurable office supplies.

Status: Complaint filed and TRO with asset freeze entered 12/7/99.
Stipulated preliminary injunction filed and entered 12/20/99.
Order dismissing civil action upon settlement between the parties entered 3/11/03.

FTC v. GM FUNDING, INC., No. CV-02-1026 (C.D. Cal.)

Parties: GM Funding, Inc.
Robert Damian Kutzner
Global Mortgage Funding, Inc.
Damian Robert Kutzner
Universal IT Solutions, Inc.
Anthony Tamraz

Assigned Attorneys: Brian Huseman (BCP/MP)
Gary L. Ivens
Kenneth H. Abbe (WR-LA)

Alleged Conduct: Unfair and deceptive practices in violation of Section 5 and the Gramm-Leach-Bliley Act in connection with the sending of unsolicited commercial e-mails ("spam") that purport to be from various well-known financial institutions.

Status: Complaint for permanent injunction and other equitable relief filed 11/6/02.
Ex parte TRO with asset freeze and other equitable relief entered 11/6/02.
Order extending TRO entered 11/15/02.
Stipulated order of preliminary injunction as to defendants Universal IT Solutions, Inc. and Anthony Tamraz entered 11/20/02.
Stipulated order of preliminary injunction as to defendants GM Funding, Inc., Robert D. Kutzner, Global Mortgage Funding, Inc., and Damian R. Kutzner entered 11/27/02.

FTC v. GOLD, No. 99-56504 (9th Cir.); Nos. SA CV 98-968 DOC (Rzx), CV 99-2895-WDK
(AIJx) (C.D. Cal.)

Parties:	Mitchell D. Gold Herbert Gold Jonathan Philip Cohen U.S. Marketing, Inc. North American Charitable Services, Inc.	Patricia Cooley Gold Celia Gold Steven John Chinarian
Assigned Attorneys:	Tracy S. Thorleifson (NWR) Maxine Stansell Monica Tait (WR-LA) Leslie R. Melman (OGC)	
Alleged Conduct:	Making false and deceptive claims in violation of Section 5 in soliciting charitable donations.	
Status:	<p>Complaint filed 11/9/98. Stipulated preliminary injunction entered 11/25/98. Motion for contempt of the preliminary injunction filed 2/18/99. Hearing on contempt motion, 5/10/99. Defendants M. Gold and North American Charitable Services filed for bankruptcy 5/10/99; North American Charitable Services’ bankruptcy petition dismissed 6/9/99; adversary complaint filed by the Commission in response to M. Gold’s bankruptcy petition, 8/2/99. Modified stipulated preliminary injunction resolving the motion for contempt filed 7/16/99; entered 7/29/99. Notice of appeal of modified preliminary injunction filed by defendants, 8/16/99. Appeal dismissed by order for failure to prosecute entered 12/29/99. Commission’s motion for summary judgment, or in the alternative, summary adjudication, filed 6/19/00. Oppositions filed 9/18/00. Reply filed 10/6/00. Defendants’ motion for judgment on the pleadings and motion to dismiss filed 10/30/00. Modified preliminary injunction filed 11/3/00; entered 11/16/00. Commission’s oppositions to defendants’ motions filed 11/6/00. Defendants’ reply briefs in support of motion for judgment on the pleadings filed 11/13/00. Order denying defendants’ motion to dismiss and motion for judgment on the pleadings, and denying Commissions’ motion for summary judgment, entered 12/13/00. Jury trial reset for 3/25/03</p>	

Case transferred from the Western Division to the Southern Division with
new civil action number SA CV 98-968 DOC (Rzx).
Stipulated order for permanent injunction as to Steven John Chinarian
entered 3/6/03.
Stipulated order for permanent injunction as to Mitchell D. Gold entered
3/6/03.
Stipulated order for permanent injunction as to Patricia Gold, Herbert
Gold, and Celia Gold entered 3/6/03.

FTC v. GRANT SEARCH, INC., No. 2:02-04174-NKL (W.D. Mo.)

Parties: Grant Search, Inc.
Steven G. Levine
Scott Stettinichs
Grant Pac, Inc.
Sunday R. Levine

Assigned Attorneys: Mary T. Benfield (NWR)
Nadine S. Samter

Alleged Conduct: Deceptive practices in violation of Section 5 and the Telemarketing Sales
Rule in connection with the marketing, offering for sale, and sale of a grant
search service.

Status: Complaint filed 8/15/02.
Ex parte TRO with asset freeze granted 8/15/02.
Stipulated preliminary injunction entered 9/5/02.

FTC v. HANSON PUBLICATIONS, INC., No. 1-02-02205-DCN (N.D. Ohio)

Parties: Hanson Publications, Inc.
9069-5057 Quebec, Inc., d/b/a Hanson Publications, Inc.
Associated Merchant Paper Supplies, Inc., d/b/a AMPS and Fourniturede
Papier Associated Merchant, Inc.
Albert Mouyal
Adrian P. Towning
Charles Hamouth

Assigned Attorneys: Jon Miller Steiger (ECR)
Larissa L. Bungo

Alleged Conduct: Deceptive practices in violation of Section 5 and the Telemarketing Sales Rule in connection with the offering for sale and sale of business directories and nondurable office supplies.

Status: Complaint for injunctive and other equitable relief filed 11/8/02.
TRO with asset freeze entered 11/12/02.
Preliminary injunction as to all defendants except Albert Mouyal entered 12/6/02.
Stipulated preliminary injunction as to Albert Mouyal entered 12/13/02.
Order to show cause why certain defendants should not be held in contempt entered 1/10/03.
Motion to stay, by defendants Adrian Towning, Charles Hamouth, Hanson Publications, 9069-5057 Quebec, and Associated Merchant Paper Supplies, filed 1/14/03.
Commission's opposition to defendants' motion to stay filed 1/31/03.
Commission's supplemental opposition to defendants' motion to stay filed 2/4/03.
Order denying defendants' motion to stay entered 2/14/03.
Commission's motion for an expedited rescheduling of the contempt show cause hearing filed 2/21/03.

FTC v. HEALTHCARE CLAIMS NETWORK, INC., No. 2:02 CV 4569 (C.D. Cal.)

Parties: Healthcare Claims Network, Inc., d/b/a Med Data Solutions, Southern
California Billing Services
Stanford Miller, d/b/a/ Medical Claims Network
Charles G. Lloyd, d/b/a Med Data Solutions
Anne Miller, d/b/a Med Data Solutions

Assigned Attorneys: Katherine R. Schnack (MWR)
Faye C. Barnouw (WR-LA)

Alleged Conduct: Deceptive acts and practices in violation of Section 5 in connection with
the offering for sale and sale of medical billing business opportunities.

Status: Complaint for injunctive and other equitable relief filed 6/11/02.
TRO granted 6/14/02.
Stipulated preliminary injunction filed 7/9/02.
Amended complaint filed 3/14/03.
Stipulated permanent injunction as to defendants Stanford Miller and Anne
Miller entered 3/14/03.

FTC v. HOLLOWAY, No. 3:02-CV-343-J-20-TEM (M.D. Fla.)

Parties: Thomas Gregg Holloway
First Freedom Financial Corp.
Southern Telmark Corp.

Assigned Attorney: Ronald E. Laitsch (SER)

Alleged Conduct: Unfair and deceptive acts and practices in violation of Section 5 and the
Telemarketing Sales Rule in connection with the marketing and sale of
advance fee credit cards.

Status: Complaint for injunctive and other equitable relief filed 4/12/02.
Stipulated preliminary injunction entered 5/8/02.

FTC v. HUDSON BERKLEY CORPORATION, No. CV-S-02-0649-PMP-RJJ (D. Nev.)

Parties: Hudson Berkley Corporation
Bismarck Labs Corporation
TMI Tricom Marketing, Inc.
CCI CAD CAM Industries Ltd, Inc.
Matthias Granic
Bernd Ebert
Oliver Braun

Assigned Attorneys: Keith Fentonmiller (BCP/AP)
Edward Glennon
Kial Young

Alleged Conduct: Deceptive practices in violation of Section 5 in connection with the sale and promotion of an electronic abdominal exercise belt, AbTronic.

Status: Complaint filed 5/7/02.
Preliminary injunction as to defendant CCI CAD CAM Industries, Ltd., Inc.
entered 7/5/02.
Preliminary injunction hearing as to defendants Hudson Berkley Corporation, Matthias Granic, Bismarck Labs Corporation, TMI Tricom Marketing, Inc., and Bernd Ebert held 7/9/02.
Order denying preliminary injunction as to defendants Hudson Berkley Corporation, Matthias Granic, Bismarck Labs Corporation, TMI Tricom Marketing, Inc., and Bernd Ebert entered 7/11/02.
Motion for leave to file amended complaint adding defendant Oliver Braun filed 11/6/02.
Motion to declare service on defendant CCI CAD CAM Industries, Ltd., Inc. filed 12/23/02.
Amended complaint adding defendant Oliver Braun filed 1/9/03.

FTC v. ICON AMERICA, INC., No. 2:01-CV-320 (D. Vt.)

Parties: Icon America, Inc.
9066-3451 Quebec Inc., d/b/a Sierra Enterprises, Inc.
Mete Suatac, individually and d/b/a Icon America, Inc.
Jonathan Parkinson, a/k/a Jonathan Parks, individually and d/b/a Icon America, Inc.

Assigned Attorney: Robin Eichen (NER)

Alleged Conduct: Deceptive practices in violation of Section 5 in connection with the offer and sale of credit card loss protection services.

Status: Complaint filed 10/17/01.
Stipulated preliminary injunction order entered 3/4/02.
Stipulated permanent injunction order entered 1/30/03.

FTC v. INSPIRED VENTURES, INC., No. 02-CV-21760 (S.D. Fla.)

Parties: Inspired Ventures, Inc.
I.V.I. Management Corp.
Source Systems, Inc.
Jesse Alper
Victor Alper

Assigned Attorneys: Brad Winter (BCP/MP)
K. Michelle Roden

Alleged Conduct: Deceptive practices in violation of Section 5 and the Franchise Rule in connection with business opportunities such as candy and gumball vending machines.

Status: Complaint for injunctive and other equitable relief filed 6/12/02.
Emergency motion for TRO and other equitable relief filed 6/12/02; granted 6/13/02.
Stipulated preliminary injunction entered 6/26/02.
Amended complaint for injunctive and other equitable relief, adding defendants I.V.I. Management Corp. and Source Systems, Inc., filed 12/18/02.

FTC v. JAGUAR BUSINESS CONCEPTS, LP, No. MJG 03 CV 108 (D. Md.)

Parties: Jaguar Business Concepts, LP, d/b/a libertymall.com
Cheyenne Investment Alliance, LLC
Jacqueline Demer

Assigned Attorneys: Patricia F. Bak (BCP/ENF)
Adam B. Fine
James Reilly Dolan

Alleged Conduct: Deceptive practices in violation of Section 5 in connection with the sale of
purported International Driving Permits through the internet.

Status: Complaint for injunctive and other relief filed 1/13/03.
Stipulation and order for preliminary injunction entered 1/23/03.

FTC v. JUBILEE FINANCIAL SERVICES, INC., No. 02-6468 (C.D. Cal.)

Parties: Jubilee Financial Services, Inc.
John E. Gustaven
Jabez Financial Group, Inc.
Curtis Cobb
Gustaven Learning Centers, Inc.
Jemuel Apelar, a/k/a Jim Appelar
Debt Relief Counselors of America
John K. Mitchell

Assigned Attorney: Jennifer Larabee (WR-LA)

Alleged Conduct: Deceptive practices in violation of Section 5 in connection with the
marketing and sale of debt negotiation services.

Status: Complaint filed 8/19/02.
Ex parte TRO and appointment of a receiver entered 8/23/02.
Stipulation and order for preliminary injunction as to defendants Curtis
Cobb and Jabez Financial Group, Inc. entered 9/4/02.
Stipulation and order for preliminary injunction as to defendants John E.
Gustaven and Jubilee Financial Services, Inc. entered 9/4/02.
First amended complaint adding defendants Gustaven Learning Centers,
Inc., Jemuel Apelar, Debt Relief Counselors of America, and John
K. Mitchell filed 2/4/03.
Stipulation and order for preliminary injunction as to defendant Gustaven
Learning Centers, Inc. entered 3/27/03.

FTC v. KELLY, No. CV 99 562 RJD (E.D.N.Y.)

Party: Patrick R. Kelly, d/b/a Patrick R. Kelly Enterprises and P.R.K. Enterprises

Assigned Attorney: Ann Weintraub (NER)

Alleged Conduct: Violations of Section 5 and the Credit Repair Organizations Act in connection with counseling consumers to create a new credit identity.

Status: Complaint and motion for preliminary injunction filed 1/29/99.
Preliminary injunction entered 2/10/99.
Motion for summary judgment filed 7/6/01.
Defendant's response to motion for summary judgment and motion to dismiss for improper venue filed 9/28/01.
Reply to defendant's response filed 11/26/01.

FTC v. KOMACO INTERNATIONAL, INC., No. CV02-04566 LGB (RNBx) (C.D. Cal.)

Parties: Komaco International, Inc., d/b/a Success Master International and Max Horizons Securities
Robert Lee Anderson
Kenshin Hayashi

Assigned attorneys: Barbara Y. K. Chun (WR-LA)
Raymond McKown

Alleged Conduct: Deceptive practices in violation of Section 5 in connection with the sale of a work-at-home, booklet stapling program.

Status: Complaint filed 6/11/02.
Stipulation to extend TRO filed 6/25/02 and 7/11/02.
Amended stipulated preliminary injunction filed 7/31/02; entered 8/2/02.
Commission's notice of voluntary dismissal of defendant Robert Lee Anderson filed 12/3/02.
Stipulated final judgment and order for permanent injunction against defendants Komaco International, Inc., and Kenshin Hayashi requiring defendants to pay \$155,742.22 in consumer redress entered 12/13/02.

Parties: Diversified Marketing Services, Inc.
H.G. Kuykendall, Jr.
H.G. Kuykendall, Sr.
C.H. Kuykendall
National Marketing Service, Inc.
NPC Corp. of the Midwest
Magazine Club Billing Services, Inc.

Assigned Attorneys: Gary Ivens (BCP/MP)
Brian Huseman
Michele Arington (OGC)

Alleged Conduct: Action to find defendants in contempt for violating a 1996 stipulated permanent injunction.

Status: Complaint filed 3/12/96.
Stipulated permanent injunction with redress (\$1.5 million) entered 10/18/96.
Commission's motion to show cause why defendants should not be found in contempt for violation of permanent injunction filed 1/28/02.
Order finding defendants in contempt and ordering defendants to pay \$39 million for consumer redress entered 3/4/02.
Motion in district court for stay pending appeal by defendants H.G. Kuykendall, Sr. and C.H. Kuykendall filed 3/22/02.
Notice of appeal by defendants H.G. Kuykendall, Sr. and C.H. Kuykendall filed 3/22/02.
Motion in district court for stay pending appeal by H.G. Kuykendall, Jr. and corporate defendants filed 3/25/02.
Notice of appeal by H.G. Kuykendall, Jr. and corporate defendants filed 3/25/02.
Order granting stay pending appeal contingent on defendants' posting superseding bond entered 4/9/02.
H.G. Kuykendall, Sr.'s and C.H. Kuykendall's motion for reconsideration of superseding bond amount filed 4/25/02; motion granted and bond amount reduced to \$5 million, entered 5/29/02.
Emergency motion by H.G. Kuykendall, Sr. and C.H. Kuykendall for stay pending appeal filed in 10th Circuit, 5/2/02; order denying motion as moot entered 6/11/02.
Opening brief of appellants H.G. Kuykendall, Sr. and C.H. Kuykendall filed 5/28/02.
Opening brief of H.G. Kuykendall, Jr. and corporate defendants filed 6/11/02.
Commission's motion to consolidate appeals filed 6/18/02; motion granted

6/20/02.
 Commission's brief filed 7/8/02.
 Appellants' reply briefs filed 7/25/02.
 Oral argument held 9/27/02.
 Opinion and judgment affirming judgment of the district court in all respects, except its determination of the amount of monetary sanctions, and remanding the proceedings for a limited new trial by jury on damages, entered 12/11/02.
 Petition for panel rehearing and rehearing en banc by H.G. Kuykendall, Sr. and C.H. Kuykendall filed 12/26/02; denied 1/14/03.
 Commission's petition for rehearing en banc filed 1/22/03.
 Order directing appellants to file response to Commission's petition for rehearing entered 2/6/03.
 Appellants' answers to Commission's petition for rehearing filed 2/18/03.

FTC v. LEADING EDGE PROCESSING, INC., No. 6:02-CV-681-ORL-19 DAB (M.D. Fla.)

Parties:	Leading Edge Processing, Inc. Quality Publishing, Inc. Mega Processing Corp. Creative Tech of America, Inc. Digital Inputting Corp. The Bair Group, Inc. Michael J. Gardner, a/k/a Michael Gaidnei a/k/a Michael Gardenbair, and d/b/a Home Typist International, Datapros, Professional Data Services, New Age Information Specialists, and Work at Home Direct Rebecca A. Dahl, d/b/a Home Typist International, Datapros, Professional Data Services, New Age Information Specialists, and Work at Home Direct
Assigned Attorney:	Robin Eichen (NER)
Alleged Conduct:	False and deceptive practices in violation of Section 5 in connection with the offering of sale and sale of data entry work-at-home employment opportunities.
Status:	Complaint for injunction and other equitable relief filed 6/13/02. Stipulated preliminary injunction entered 6/28/02. Stipulated permanent injunction entered 3/6/03.

FTC v. LIGHTFOOT, No. 02-CV-145 (S.D. Ohio)

Parties: Linda Jean Lightfoot, individually, and d/b/a Universal Direct
Charles F. Childs, individually, and d/b/a Universal Direct

Assigned Attorney: James Kohm (BCP/MP)

Alleged Conduct: Deceptive acts or practices in violation of Section 5 in connection with the operation of a spam chain letter.

Status: Complaint for injunctive and other equitable relief filed 3/29/02.
Stipulated preliminary injunction with asset freeze entered 4/12/02.
Final judgment and order for permanent injunction entered 3/31/03.

FTC v. MAR DELFINAS, LTD., No. 02-56163 (9th Cir.); No. 01-CV-1326-B (JAH) (S.D. Cal.)

Party: Mar Delfinas, Ltd.

Assigned Attorneys: Faye C. Barnouw (WR-LA)
Marilyn E. Kerst (OGC)

Alleged Conduct: Action to set aside fraudulent transfer of real property belonging to FTC debtor to a limited partnership under same debtor's control.

Status: Complaint filed 7/23/01.
Hearing on cross-motions for summary judgment held 6/10/02.
Order granting Commission's summary judgment motion and denying defendant Mar Delfinas, Ltd.'s motion for summary judgment or summary adjudication issues entered 6/14/02.
Judgment in favor of Commission, directing defendant's attorney to turn over net proceeds from the sale of a house that was fraudulently transferred, entered 6/26/02.
Notice of appeal by defendant filed 7/3/02.
Opening brief by appellant Mar Delfinas, Ltd. filed 11/04/02.
Commission's brief filed 12/11/02.
Oral argument scheduled for 6/6/03.

FTC v. MARK NUTRITIONALS, INC., No. 5:02cv01151 (W.D. Tex.)

Parties: Mark Nutritionals, Inc.
Harry Siskind
Edward G. D'Alessandro, Jr.

Assigned Attorneys: Thomas B. Carter (SWR)
Deborah W. Dawson
Frederic Dunskey

Alleged Conduct: Deceptive practices in violation of Sections 5 and 12 in connection with the offering for sale and sale of a purported weight loss product.

Status: Complaint for permanent injunction and other equitable relief filed 12/5/02.
Stipulated order for preliminary injunction as to defendant Mark Nutritionals, Inc. entered 12/11/02.
Stipulated order for preliminary injunction as to defendant Edward G. D'Alessandro, Jr. entered 12/23/02.
Stipulated order for preliminary injunction as to defendant Harry Siskind entered 12/27/02.

FTC v. MAXWELL, No. 03-0128 NM (CWx) (C.D. Cal.)

Parties: Jordan Maxwell, a/k/a Russell Pine, d/b/a BBCOA, a/k/a BBC of America and Better Books and Cassettes of America
Vic Varjabedian, a/k/a Victor Varjabedian and Varouj Varjabedian

Assigned Attorneys: Katherine Romano Schnack (MWR)
Todd M. Kossow
Kenneth H. Abbe (WR-LA)

Alleged Conduct: Deceptive practices in violation of Section 5 and the Credit Repair Organizations Act in connection with the sale of purported International Driving Permits through the internet and offering of credit repair services.

Status: Complaint for injunctive and other equitable relief filed 1/7/03.
TRO with asset freeze and an order to show cause why a preliminary injunction should not issue entered 1/8/03.
Preliminary injunction entered 1/23/03.

FTC v. MEDICAL-BILLING.COM, INC., No. 3-02CV 0702P (N.D. Tex.)

Parties: Medical-billing.com, Inc., d/b/a Professional Management Consultants
Michele Graham

Assigned Attorneys: Thomas B. Carter (SWR)
Gary Kennedy

Alleged Conduct: Deceptive practices in violation of Section 5 in connection with the
marketing and sale of medical billing services.

Status: Complaint for injunctive and other equitable relief filed 4/5/02.
Stipulated preliminary injunction entered 5/17/02.

FTC v. MEDICOR LLC, No. CV 01-1896 CBM (EX) (C.D. Cal.)

Parties: Medicor LLC
Andrew Rubin
Matthew Rubin
S & M Trust
Mavin Holdings

Assigned Attorneys: Stephen Gurwitz (BCP/MP)
Peter Lamberton
Patricia Poss

Alleged Conduct: Deceptive practices in violation of Section 5 in connection with the marketing and sale of medical billing work-at-home opportunities.

Status: Complaint filed 2/28/01.
TRO entered 3/1/01.
Preliminary injunction entered 4/12/01.
Trial set for 7/9/02.
Order finding defendant Rubin in contempt entered 3/1/02.
First amended complaint adding Matthew Rubin, Maven Holdings and S&M Trust filed 3/8/01.
Motion for preliminary injunction as to Matthew Rubin filed 3/30/01.
Order for preliminary injunction as to Medicor and Andrew Rubin filed 4/12/01.
Order denying order for preliminary injunction as to Matthew Rubin filed 5/8/01.
Motion for order of civil contempt as to Andrew Rubin filed 10/29/01.
Order granting motion for order of civil contempt as to Andrew Rubin filed 3/01/02.
Motion for summary judgment filed 3/29/02.
Motion for second order of civil contempt as to Andrew Rubin filed 4/12/02.
Second motion for civil contempt as to Andrew Rubin granted 6/5/02.
Order granting plaintiff's motion for summary judgment entered 7/18/02.
Order for permanent injunction and other relief as to defendants Medicor LLC, Andrew Rubin and Matthew Rubin entered 7/18/02.
Judgment in favor of the Commission as to the entire action, terminating case, entered 7/18/02.

FTC v. MEMBERSHIP SERVICES, INC., No. 01-CV-1868 (S.D. Cal.)

Parties: Membership Services, Inc.
James M. Schwindt

Assigned Attorneys: John Jacobs (WR-LA)
Jerome Steiner (WR-SF)
Elizabeth Blackston (AG-III.)

Alleged Conduct: Deceptive practices in violation of Section 5 and the Telemarketing Sales Rule in connection with the sale of credit card loss protection services and advance fee credit cards.

Status: Complaint filed 10/15/01.
TRO with asset freeze filed 10/17/01; entered 10/18/01.
Preliminary injunction with asset freeze filed and entered 10/31/01.

FTC v. MORRONE'S WATER ICE, INC., No. 02-CV-3720 (E.D. Pa.)

Parties: Morrone's Water Ice, Inc.
Franchise Consultants Corporation, d/b/a Franchise Consultants Group
Ice America Corporation
Water Ice Systems, Inc.
JMS Sales Inc.
Stephen D. Aleardi, a/k/a Steve Aleardi
John J. Morrone, III

Assigned Attorneys: Craig Tregillus (BCP/MP)
Russel Deitch

Alleged Conduct: Deceptive practices in violation of Section 5 and the Franchise Rule in connection with the promotion and sale of Morrone's Italian Ice and Homemade Ice Cream business ventures.

Status: Complaint filed 6/12/02.
TRO issued 6/18/02.
Orders extending TRO entered 7/1/02 and 7/12/02.

FTC v. MOUNTAIN VIEW SYSTEMS, LTD., No. 1:03-CV-00021-RMC (D.D.C.)

Parties: Mountain View Systems, Ltd.
Wheelie International Limited
Aladdin Travel Inc., d/b/a Aladdin Financial Management and University
Systems
S.C. Hyacinth S.R.L.
Jason Matthieu Abraham, a/k/a Yaakov Abraham
Caroline Shallon, a/k/a Caroline Abraham and Chaya Rochel Abraham
Charles Fogel, a/k/a Charlie Lewis

Assigned Attorneys: Gregory A. Ashe (BCP/ENF)
James Reilly Dolan
Victor F. DeFrancis

Alleged Conduct: Deceptive practices in violation of Section 5 in connection with the
marketing and sale of phony international drivers' licenses via unsolicited
commercial emails ("spam") and the internet.

Status: Complaint for injunctive and other equitable relief filed 1/7/03.
Ex parte TRO with asset freeze and order to show cause why preliminary
injunction should not be issued entered 1/9/03.
Preliminary injunction entered 1/24/03.
Amended complaint, naming the actual parties, filed 2/21/03.

FTC v. NATIONAL AUDIT DEFENSE NETWORK, INC., No. CV-S-02-0131-LRH-PAL, (D. Nev.)

Parties:	National Audit Defense Network, Inc. Tax Coach, Inc., d/b/a Tax Ready Oryan Management, Inc. Robert Bennington Cort Christie Al Rodriguez Weston J. Coolidge
Assigned Attorneys:	Janice L. Charter (WR-SF) Jerome M. Steiner Blaine T. Welsh (AUSA)
Alleged Conduct:	Deceptive practices in violation of Section 5 and the Truth in Lending Act by failing to provide refunds in a timely manner in connection with the sale of income tax-reducing strategies and services.
Status:	Complaint filed 1/30/02. TRO entered 2/1/02. Stipulated preliminary injunction entered 2/25/02. Amended complaint adding defendants Weston J. Coolidge and Oryan Management, Inc. filed 12/30/02.

FTC v. NAVESTAR DM, INC., No. 00-CV-6269T (W.D.N.Y.)

Parties: Navestar DM, Inc.
Financial Services Network USA, Inc.
Paul Navestad

Assigned Attorneys: Dara Diomande (NER)
Michele Stolls

Alleged Conduct: Deceptive practices in violation of Section 5 and the Telemarketing Sales Rule in connection with the marketing of advance fee loan and cash grant programs.

Status: Complaint filed and ex parte TRO with asset freeze entered 6/12/00.
Motion to stay discovery and proceed on the basis of the findings from the discovery in a parallel criminal matter filed 6/28/00; denied 9/21/00.
Stipulated preliminary injunction filed 8/24/00; entered 8/25/00.
Consent judgment and permanent injunction against all defendants filed 1/3/02; entered 1/7/02.
Order granting \$16, 237,996.40 in favor of Commission against individual defendant Paul Navestar and granting lien of \$16,000 in favor of Commission and/or State of New York on real property reflecting the cost incurred for emergency repairs to property entered 6/25/02.
Motion by individual defendant Paul Navestar to vacate the judgment order filed 7/16/02.
Commission's opposition to motion to vacate judgment filed 8/16/02.
Order granting individual defendant Paul Navestad's motion to vacate the \$16 million amended judgment against him and reinstating the original stipulated final judgment amount and the subsequent order giving the FTC a lien of \$16,000 in real property related to the defendants entered 2/22/03.

FTC v. NEXGEN3000.COM, INC., No. 03-CV-120 (D. Ariz.)

Parties: NexGen3000.com, Inc.
Globion, Inc.
Infinity2, Inc.
David A. Charette
Jennifer K. Charette
Robert J. Charette, Jr.
Marta N. Charette
Stephen M. Diamond
Christine A. Wasser
Edward G. Hoyt

Assigned Attorneys: Chris M. Couillou (SER)
Jessica Gray

Alleged Conduct: Deceptive practices in violation of Section 5 in connection with the operation of a pyramid scheme.

Status: Complaint for permanent injunction and other equitable relief filed 2/18/03.

FTC v. OSI FINANCIAL SERVICES, INC., No. 02-CV-5078 (N.D. Ill.)

Parties: State of Illinois, co-plaintiff
OSI Financial Services, Inc.
Mark Diamond

Assigned Attorneys: John A. Krebs (BCP/FP)
Allison I. Brown
Katherine R. Schnack (MWR)

Alleged Conduct: Unfair and deceptive practices in violation of Section 5 in connection with mortgage broker's lending practices.

Status: Complaint for permanent injunction and other equitable relief filed 7/18/02.
Amended complaint for permanent injunction and other equitable relief filed 11/1/02.

FTC v. PACIFIC FIRST BENEFIT, LLC, No. 02C-8678 (N.D. Ill.)

Parties: Pacific First Benefit, LLC
Key Nation Benefit, LLC
First Federal Benefit, LLC
Federal Credit Services, Limited
Alex Orphanou

Assigned Attorneys: Karen D. Dodge (MWR)
John C. Hallerud

Alleged Conduct: Deceptive practices in violation of Section 5 and the Telemarketing Sales Rule in connection with the marketing of credit cards through an outbound telemarketing operation.

Status: Complaint for injunctive and other equitable relief filed 12/2/02.
TRO with asset freeze entered 12/2/02.
Stipulated order for preliminary injunction entered 12/16/02.

FTC v. PEISSEL, No. H-02-1237 (S.D. Tex.)

Parties: Antoine J. Peissel, d/b/a The Woodway Group
Thomas A. Brandt, d/b/a The Woodway Group

Assigned Attorneys: W. David Griggs (SWR)
Deborah W. Dawson

Alleged Conduct: Deceptive practices in violation of Section 5 and the Telemarketing Sales Rule in connection with the marketing and sale of advance fee loan services.

Status: Complaint for injunctive and other equitable relief filed 4/3/02.
Preliminary injunction entered 4/12/02.
Stipulated final judgment and order for permanent injunction entered 12/9/02.

FTC v. PHYSICIANS HEALTHCARE DEVELOPMENT, INC., No. CV 02-2936 RMT (JWJx)
(C.D. Cal.)

Parties: Physicians Healthcare Development, Inc., a/k/a Physician Healthcare
Development Inc., Physicians Healthcare Development, Physician
and Healthcare Development, PHD and PHD Billing
NetBiz, Inc., d/b/a Physicians Healthcare Development
Antonio Echavez

Assigned Attorneys: Jennifer Larabee (WR-LA)
Kenneth H. Abbe

Alleged Conduct: Deceptive practices in violation of Section 5 in connection with the
marketing and sale of work-at-home medical billing opportunities.

Status: Complaint seeking TRO and asset freeze filed 4/10/02.
Opposition filed 4/10/02.
TRO granting all relief and asset freeze entered 4/10/02.
Stipulated preliminary injunction entered 4/24/02.
Stipulation and final judgment and order for permanent injunction and
monetary relief entered 1/24/03.

FTC v. PREFERRED ALLIANCE, INC., No. 1:03-CV-0405 (N.D. Ga.)

Parties: Preferred Alliance, Inc., d/b/a Vacantsun Travel Discounts and
Genesiscard
Bruno Faillace

Assigned Attorney: Stephen L. Cohen (BCP/MP)

Alleged Conduct: Unfair and deceptive practices in violation of Section 5, the telemarketing
Sales Rule and the Truth in Lending Act in connection with the marketing
of memberships in a buying service (a program or plan providing
discounted priced services).

Status: Complaint for permanent injunction and other equitable relief filed 2/4/03.

FTC v. PREMIER FINANCIAL SERVICES INTERNATIONAL, INC., No. 02-61134 (S.D. Fla.)

Parties: Premier Financial Services International, Inc.
Premier Financial Services of Tennessee, Inc.
First Financial Debt Consolidation, Inc.
Scott Jason Kaduk

Assigned Attorney: Robin L. Rock (SER)

Alleged Conduct: Deceptive practices in violation of Section 5 and the Telemarketing Sales Rule in connection with the telemarketing of advance fee credit cards.

Status: Complaint filed 8/13/02.
Stipulated preliminary injunction entered 8/22/02.
Default judgment and final order entered 12/05/02.

FTC v. REXALL SUNDOWN, INC., No. 00-7016-CIV-MARTINEZ (S.D. Fla.)

Party: Rexall Sundown, Inc.

Assigned Attorneys: Daniel Kaufman (BCP/AP)
Shira D. Modell
Stacy Feuer
Theodore Hoppock

Alleged Conduct: Deceptive practices in violation of Section 5 in connection with the marketing of a dietary supplement.

Status: Complaint filed 7/19/00.
Defendant's motion to dismiss filed 8/23/00.
Commission's opposition filed 9/12/00.
Defendant's reply filed 9/21/00.
Commission's motion for partial summary judgment filed 12/1/00.
Defendant's opposition filed 12/18/00.
Commission's reply filed 12/29/00.
Defendant's motion for summary judgment filed 5/1/01.
Commission's motion for partial summary judgment denied on non-substantive grounds, 9/26/01.
Defendant's motion for continuance filed 10/5/01.
Joint pretrial stipulation filed 10/22/01.
Commission's second motion to compel production of documents filed 11/13/01.
Order denying Rexall's motion to dismiss entered 9/23/02.
Order denying Rexall's motion for summary judgment entered 9/23/02.
Stipulated final order for permanent injunction and settlement of claims for monetary relief, requiring defendant to provide between \$8 million and \$12 million in consumer refunds and administrative costs, entered 3/31/03.

FTC v. RICHMOND, No. 3:02cv03979 (D.S.C.)

Party: Darrell Richmond, d/b/a Bargain Shopper Network Direct!/BSN Direct,
Specialty Merchandise Wholesale Direct!/SMW Direct!, and Apex
Marketing Group/Apex Enterprises

Assigned Attorneys: Valerie M. Verduce (SER)
Ronald E. Laitsch

Alleged Conduct: Deceptive practices in violation of Section 5 in connection with the sale of
purported envelope stuffing employment opportunities.

Status: Complaint for injunctive and other equitable relief filed 11/26/02.
Ex parte TRO with asset freeze entered 11/26/02.
Consent order extending TRO entered 12/5/02.
Stipulated order of preliminary injunction entered 12/16/02.
Order staying proceedings entered 3/18/03.

FTC v. ROYAL FLUSH SYSTEM NETWORK, INC., No. C02-1085L (W.D. Wash.)

Parties: Royal Flush System Network, Inc.
Ecaps Credit Solutions Network, Inc.
Globalot Services, Inc.
Flash Productions, Inc.
Wilson Okike
Basil Steeves
Natty Osemwengie
Obiageli Okike
Lexandine Property Management, Inc.
Uchenna Okike.

Assigned Attorneys: Thomas P. Rowan (NWR)
Kathryn C. Decker

Alleged Conduct: Violations of Section 5 and the Telemarketing Sales Rule in connection with
the operation of a foreign lottery telemarketing scheme.

Status: Complaint for permanent injunction filed 5/15/02.
Stipulated final judgment as to defendant Basil Steeves filed and entered
5/15/02.

FTC v. SHERIF, No. CV02-0294 (W.D. Wash.)

Parties: Nuraldin Shareef Karim, a/k/a Dillon Sherif, Dillon Shareef, and Dillon Nariman, d/b/a ALS, GCI, Grand Alliance Service, PBI, Power Ball Services, Royal Enterprises and Royal Marketing Group
Melissa C. Robinson, d/b/a Royal Majesty Services, Royal International Services, Royal Enterprises and Mutual American
Saul Somerstein, a/k/a Saul Somers, d/b/a Imperial Marketing Service, Alliance Marketing Service, RMG and World Marketing Service
Nariman Sabri Mikdad, a/k/a Nariman Sherif, relief defendant
Amina Mohamad, relief defendant

Assigned Attorneys: Mary T. Benfield (NWR)
Thomas Rowan

Alleged Conduct: Violations of Section 5 and the Telemarketing Sales Rule in connection with the telemarketing of foreign lotteries.

Status: Complaint for injunctive and other equitable relief and motion for preliminary injunction filed 2/7/02.
Stipulated preliminary injunction as to defendant Melissa C. Robinson entered 7/10/02.
Preliminary injunction as to defendant Dillon Sherif entered 7/22/02.
Withdrawal of complaint and motion for preliminary injunction as to Saul Somerstein without prejudice entered 8/6/02.
Defaults as to defendants Dillon Sherif, and relief defendants Nariman Sabri Mikdad, and Amina Mohamad entered 9/24/02.
Trial date scheduled for 8/11/03.

FTC v. SILVERMAN, No. 02-CV-8920 (S.D.N.Y.)

Party: Brian E. Silverman, d/b/a Electro Depot, BES Systems, Dallas Tech Surplus, and New York Tech Surplus

Assigned Attorney: Ann F. Weintraub (NER)

Alleged Conduct: Deceptive practices in violation of Section 5 and The Mail or Telephone Order Merchandise Rule in connection with the offering for sale of laptop computers through online auctions hosted by “auction house” websites.

Status: Complaint for permanent injunction and other equitable relief filed 11/8/02.
Stipulated preliminary injunction entered 2/5/03.

FTC v. SKYBIZ.COM, INC., Nos. 01-5166, 01-5176, 02-5004 (10th Cir.); No. 01-CV-396 (N.D. Okla.)

Parties:	Skybiz.com, Inc. World Service Corporation Nanci Corporation International Worldwide Service Corporation Skybiz International Ltd. James S. Brown Stephen D. McCullough Elias F. Masso Nanci H. Masso Kier E. Masso Ronald E. Blanton
Assigned Attorneys:	James Elliott (SWR) Kristin Malmberg James R. Golder Judith Shepherd Michele Arington (OGC) John Singer
Alleged Conduct:	Deceptive practices in violation of Section 5 in connection with a pyramid scheme involving home-based business opportunities.
Status:	Complaint filed 5/30/01. TRO with asset freeze and receiver entered 6/6/01. First amended complaint adding defendant SkyBiz International filed 6/25/01. Motion by SkyBiz Int'l to dismiss for lack of personal jurisdiction filed 7/16/01. Preliminary injunction against Nanci Masso and Nanci Corporation Int'l ("NCI") entered 8/2/01. Preliminary injunction against other "SkyBiz defendants" (except SkyBiz Int'l) entered 8/31/01. Nanci Masso's and NCI's motion for reconsideration of preliminary injunction filed 9/19/01; denied 10/15/01. SkyBiz defendants' notice of appeal of preliminary injunction order filed 9/19/01; appellants' brief filed 11/8/01; Commission brief filed 12/11/01. Order denying SkyBiz Int'l's motion to dismiss for lack of personal jurisdiction entered 9/19/01. Order authorizing receiver to collect \$32 million from SkyBiz Int'l entered 9/26/01. SkyBiz Int'l's notice of appeal of order authorizing the collection of

receivables filed 9/27/01; Commission motion to dismiss appeal filed
 11/13/01; appellant's response filed 12/12/01; court of appeals
 order deferring decision on motion to dismiss entered 3/25/02.
 SkyBiz Int'l's emergency motion (in district court) to stay order
 authorizing collection of receivables filed 9/27/01; granted 9/28/01.
 Preliminary injunction against SkyBiz International Ltd. entered 1/2/02.
 SkyBiz Int'l's notice of appeal of preliminary injunction filed 1/8/02;
 appellants failed to file brief due 4/10/02.
 Stipulated final judgment and order for permanent injunction as to
 defendant Ronald E. Blanton filed 1/11/02; entered 1/14/02.
 SkyBiz Int'l's motion for stay of preliminary injunction filed in district
 court 1/15/02; denied 2/5/02.
 SkyBiz Int'l's motion for stay of preliminary injunction in court of appeals
 filed 2/8/02; denied 2/15/02.
 SkyBiz Int'l's motion to dismiss voluntarily its appeals (01-5176 and 02-
 5004) filed 4/25/02.
 Order granting voluntary dismissal of SkyBiz Int'l's appeals entered
 4/29/02.
 Oral argument in domestic SkyBiz defendants' appeal held 9/23/02.
 Stipulated final judgment and order for permanent injunction as to
 defendants SkyBiz.com, Inc., SkyBiz International, Ltd., World
 Service Corporation, Nanci Corporation International,
 Worlwide Service Corporation, James S. Brown, Elias F. Masso,
 Nanci H. Masso and Kier E. Masso entered 1/28/03.
 Order and judgment by Tenth Circuit affirming district court's preliminary
 injunction against domestic SkyBiz defendants entered 1/30/03.
 District court trial date as to defendant Stephen D. McCullough
 rescheduled for 4/14/03.

FTC v. SLIM DOWN SOLUTION, LLC, No. 03-80051 (S.D. Fla.)

Parties: Slim Down Solution, LLC
Slim Down Solution, Inc.
S.S.T. Management, Inc.
The Kara Group, LLC
Ronald Alarcon
Kathleen Alarcon
Maderia Management, Inc.
Polyglucosamine, Ltd.
Steven Pierce

Assigned Attorneys: Serena Viswanathan (BCP/AP)
Karen Muoio

Alleged Conduct: Unfair and deceptive practices in violation of Sections 5 and 12 in connection with the sale of a purported weight-loss product.

Status: Complaint for permanent injunction and other equitable relief filed 1/21/03.
Stipulated order for preliminary injunction entered 2/21/03.
Motion for partial judgment on the pleadings against defendants Maderia Management, Polyglucosamine, Ltd., and Steven Pierce filed 3/26/03.

FTC v. SMOLEV, No. 01-8922 CIV-ZLOCH (S.D. Fla.)

Parties:	Ira Smolev Richard Kaylor Member Service of America, LLC. Premier Membership Services, LLC. Inter*act Communications, Inc. Erevenue Partners, L.L.C. Linden Investments, L.L.C. Premier Club Services, L.L.C. Residents Resource Network, LLC. Revenue Solutions, L.L.C. The Backend Company of America, Inc.	Bruce Turiansky Triad Discount Buying Service, Inc. Orchid Associates, L.L.C. Inter*act Travel, Inc. Consumer Data Depot, L.L.C. Far Services, L.L.C. Lynstrom Information Service, LLC. Premier Marketing Services of America, L.L.C. Spanish River Investors, L.L.C. The Shoppers Edge, L.L.C. Triad Marketing Group, Inc. Tritell of Nevada, L.L.C.
Assigned Attorneys:	Louise Jung (BCP/ENF) Gregory Ashe Renate Kincheck Ramona Elliot (BCP/PI)	
Alleged Conduct:	Deceptive practices in violation of Section 5 and the Telemarketing Sales Rule in connection with telemarketing buying club memberships.	
Status:	Complaint for injunctive and other equitable relief filed 10/23/01. Stipulated final judgment and order for permanent injunction and monetary settlement as to Ira Smolev and all corporate defendants filed 10/23/01; entered 11/27/01. Stipulated final judgment and order for permanent injunction and monetary settlement for defendant Richard Kaylor filed 4/8/02; entered 4/17/02. Stipulated final judgment and order for permanent injunction and monetary settlement for defendant Bruce Turiansky entered 12/11/02.	

FTC v. SPEEDWAY MOTORSPORTS, INC., No. 1:01CV00126 (M.D.N.C.)

Parties: Speedway Motorsports, Inc.
Oil-Chem Research Corp.

Assigned Attorneys: Jonathan Cowen (BCP/ENF)
Edwin Rodriguez
Craig Lisher
Laureen Kapin
Michael Ostheimer (BCP/AP)
Melvin H. Orlans (OGC)

Alleged Conduct: Deceptive practices in violation of Section 5 in connection with the marketing and sale of fake motor vehicle lubricant.

Status: Complaint filed 1/31/01.
Stipulated final order for permanent injunction and monetary relief,
requiring defendants to provide \$1,000,000 in consumer refunds,
entered 3/20/03.

FTC v. STAR CREDIT SERVICES, No. CV-02-4500 (E.D.N.Y.)

Parties: Star Credit Services
James Shovak

Assigned Attorney: Carole A. Paynter (NER)

Alleged Conduct: Deceptive practices in violation of Section 5 and the Telemarketing Sales Rule in connection with the marketing of advance fee loan services.

Status: Complaint filed 8/14/02.
TRO with asset freeze and other equitable relief entered 8/16/02.
Stipulated preliminary injunction with asset freeze and other equitable relief
entered 9/25/02.

FTC v. STF GROUP INC., No. 03-977 (N.D. Ill.)

Parties: STF Group, Inc., a/k/a STF Group, STF Group (Burlington), STF Group (Newmarket), Start to Finish Consulting Group, Inc., Start to Finish Consulting Group, Start to Finish Marketing, Inc., 1363883 Ontario Limited d/b/a STF Consolidated, Q Prompt, Inc., 487948 Ontario Limited
1363942 Ontario Limited, d/b/a National Credit Card Security Centre, Korn Land Corporation, d/b/a National Credit Card Security
Med Plan, Inc., d/b/a First Med, Inc., Medical Discount, Inc., Medplan Burlington, Medplan Mississauga, Medplan Newmarket, Medplan North York, Medplan Scollard, Chembe Management, Inc. d/b/a Medplan Scarborough, Great Sailing Management, Inc., Thunderchild Consulting, Inc., Smakk Consulting, Inc., GTCQ, Inc., Global Discount Healthcare Benefits d/b/a Global Discount Healthcare Benefits, Inc. and First Med, Inc.
1108114 Ontario Inc.
1349927 Ontario Inc.
Alex Korn
Allan Shiell
Sean Zaichick
Julian Shiell
Chris Quilliam
Nicholas Bridges

Assigned Attorneys: David A. O'Toole (MWR)
Guy G. Ward

Alleged Conduct: Deceptive practices in violation of Section 5 and the Telemarketing Sales Rule in connection with telemarketing credit card protection services.

Status: Complaint for injunctive and other equitable relief filed 2/10/03.
TRO with asset freeze entered 2/12/03.
TRO extended by agreement 2/25/03 and 3/14/03.

FTC v. STOCK VALUE 1, INC., No. 02-80131-CIV-HURLEY/LYNCH (S.D. Fla.)

Parties: Stock Value 1, Inc., a/k/a SV1
Deborah Jenkins

Assigned Attorneys: Daniel Kaufman (BCP/AP)
Serena Viswanathan
Marcella Cohen Auerbach (AUSA)

Alleged Conduct: Deceptive practices in violation of Sections 5 and 12 in connection with the sale of cellular phone electromagnetic radiation protector patches.

Status: Complaint for permanent injunction and other equitable relief filed 2/13/02.
Amended complaint for permanent injunction and other equitable relief filed 5/22/02.
Stipulated permanent injunction against defendant Deborah Jenkins entered 8/28/02.
Commission's motion for summary judgment against defendant Stock Value 1, Inc. filed (under seal) 9/12/02.
Order of default judgment, permanent injunction, and consumer redress against defendants Stock Value 1, Inc. and Meristar International, Inc. entered 2/25/03.

FTC v. STREAMLINE INTERNATIONAL, INC., No. 01-6885-Civ-Ferguson (S.D. Fla.)

Parties: Streamline International, Inc.
J.R. Jackson
Robert "Bob" Waitkus

Assigned Attorneys: David Torok (BCP/MP)
Michelle Roden

Alleged Conduct: Deceptive practices in violation of Section 5 in connection with the marketing and sale of health-care products through a pyramid scheme.

Status: Complaint filed 5/23/01.
Motion for preliminary injunction filed 5/30/01.
Stipulated final judgment and order for permanent injunction as to defendant Robert Waitkus entered 2/7/02.

FTC v. STUFFINGFORCASH.COM CORP., No. 02C-5022 (N.D. Ill.)

Parties: Stuffingforcash.com Corp.
American Publishing, Inc.
Sound Publications, Inc.
Mailmax, Inc.
Nelson Barrero
Eduardo Gonzalez
Ilena M. Morales

Assigned Attorneys: Steven Wernikoff (MWR)
Therese Tully

Alleged Conduct: Deceptive practices in violation of Section 5 in connection with the sale of
purported envelope stuffing employment opportunities.

Status: Complaint for injunctive and other equitable relief filed 7/16/02.
TRO with asset freeze and other equitable relief entered 7/16/02.
Stipulated preliminary injunction filed 8/22/02.
Amended complaint, adding defendant Mailmax, Inc., filed 1/29/03.
Stipulated final judgment and order for permanent injunction and consumer
redress in the amount of \$200,000 entered 1/30/03.

FTC v. TLD NETWORK, LTD., No. 02-4242 (7th Cir.); No. 02C1475 (N.D. Ill.)

Parties: TLD Network, Ltd.
Quantum Management (GB) Ltd.
TBS Industries, Ltd.
Thomas Goolnik
Edward Goolnik

Assigned Attorney: Steven Wernikoff (MWR)
Marilyn E. Kerst (OGC)

Alleged Conduct: Deceptive practices in violation of Section 5 in connection with the sale of
internet domain names.

Status: Complaint and motion for TRO filed 2/28/02.
TRO granted 2/28/02.
TRO extended through 10/15/02.
Stipulated final judgment and order for permanent injunction and payment
of \$300,000 for consumer redress entered 10/15/02.
Notice of appeal filed 12/16/02.
Appellants' brief due 5/9/03.

Commission's brief due 6/9/03.

FTC v. TASHMAN, No. 01-14137-HH (11th Cir.); No. 98-7058 Civ. (S.D. Fla.)

Parties:	Stephen I. Tashman Ernest F. Lockamy Harris M. Cohen	Stephen M. Mishkin Michael S. Dundee Telecard Dispensing Corp.
Assigned Attorneys:	Ronald E. Laitsch (SER) Robin Rock Lawrence DeMille-Wagman (OGC)	
Alleged Conduct:	False and deceptive claims in violation of Section 5 and the Franchise Rule in soliciting purchasers of vending machines that dispense prepaid telephone calling cards.	
Status:	<p>Complaint filed and TRO entered 9/29/98 TRO extended by stipulation. Stipulated preliminary injunction entered 12/21/98. Commission's motion for summary judgment filed 12/16/99. Motion denied by order entered 3/2/00. Trial held 4/10-4/13/00 and 6/14-6/15/00. Stipulated final judgment as to defendants Mishkin and Cohen filed and entered 6/14/00. Order holding defendant Tashman in violation of one franchise count, dismissing other four counts, and requiring disgorgement of \$420,000 entered 5/24/01. Notice of appeal by Commission filed 7/18/01. Commission's appellate brief filed 11/19/01. Appellee's motion for remand to district court filed 12/4/01. Appellee's brief filed 12/22/01. Denial of motion for remand to district court entered 12/27/01. Appellant's reply filed 1/17/02. Commission reply brief filed 1/22/02. Oral argument held 4/4/02. 11th Circuit order vacating the District Court's judgment and remanding for entry of a judgment in the Commission's favor and for entry of appropriate relief entered 1/24/03. Appellees' petition for rehearing en banc filed 3/7/03.</p>	

FTC v. THINK ACHIEVEMENT CORP., Nos. 01-1663, 00-3744, 98-4265 (7th Cir.); No. 2:98-C-12-TS (N.D. Ind.)

Parties:	Think Achievement Corp. The Answering Service, Inc. New Age Advertising Corp. Career Advancement Corp. Patricia A. Harris Sena J. Rager Ferron F. Harris Jill Robinson, a/k/a Jill Carpenter Linda S. Tankersley David Barnack, d/b/a Information Delivery Service	National Answering Service The Rosewood Group H.D. Davidson Advertising Corp. Information Delivery Systems, Inc. Harry D. Brankle Tillwanner "Tee" Jackson Steven F. Stucker William H. Tankersley
Assigned Attorneys:	Robin Richardson (BCP/ENF) David Frankel (BCP/AP) Lawrence Demille-Wagman (OGC)	
Alleged Conduct:	Deceptive practices in the sale of employment program to persons seeking positions with the U.S. Postal Service.	
Status:	Complaint filed, TRO and asset freeze entered with appointment of receiver, 1/15/98. Preliminary injunction as to original defendants entered 2/10/98. Complaint amended to add additional defendants and TRO issued as to those defendants, 2/10/98. Preliminary injunction as to additional defendants entered 3/31/98. Order granting partial stay of compliance with asset freeze regarding offshore assets entered 4/9/98. Stipulated final judgment as to defendant Stucker entered 10/22/98. Order granting motion to amend complaint entered 10/22/98. Order denying motion to set aside default as to corporate defendants entered 10/22/98. Notice of appeal from order declining to set aside default filed 12/17/98; Court of Appeals order directing appellant to state why appeal should not be dismissed for lack of jurisdiction entered 1/7/99; appeal voluntarily withdrawn 1/14/99. Motion for default judgment filed 12/30/98; withdrawn without prejudice 2/1/99. Stipulated final judgment as to defendants P. Harris, F. Harris, Brankle, Rager, Jackson, Barnack, and Robinson filed 5/4/99; entered 6/15/99. Commission's motion for summary judgment as to the corporate defendants and W. and L. Tankersley filed 6/8/99. Motion for summary judgment granted from the bench, 2/4/00. Notice of appeal by W. and L. Tankersley filed 10/19/00.	

Appellants' motion in district court for stay of judgment pending appeal
 filed 10/31/00.
 Commission's opposition to motion filed 11/15/00.
 Motion for stay pending appeal denied 12/5/00.
 Appellants' emergency motion in court of appeals for stay of judgment
 pending appeal filed 12/7/00.
 Commission's opposition to emergency motion filed 12/13/00.
 Emergency motion for stay pending appeal denied 1/12/01.
 Defendants W. and L. Tankersley held in civil contempt of court for failure
 to provide accounting and turn over assets, 1/29/01; warrant issued
 for their arrest 2/9/01; W. and L. Tankersley taken into custody
 2/12/01.
 Appellants' counsel's motion to withdraw as attorneys of record filed and
 granted 3/14/01.
 Commission's notice of appeal (cross-appeal, No. 01-1663) filed 3/14/01.
 Hearing on defendants' motion to reconsider court's order holding them in
 civil contempt held 4/18/01; denied 4/18/01.
 Briefing in appeal stayed pending further court action ordered 5/23/01.
 Motion to intervene in cross-appeal filed by Nick Thiros (W. Tankersley's
 criminal attorney) filed 5/3/01; granted 5/25/01.
 Motion to intervene in cross-appeal by Gregory Sarkisian (W. and L.'s
 Tankersleys' civil attorney) filed 5/31/01; granted 6/7/01.
 Denial of Tankersley's motion to reconsider contempt order after
 evidentiary hearing entered 11/14/01.
 William Tankersley's notice of appeal of district court's denial of motion to
 reconsider contempt order filed 1/9/02.
 William Tankersley's opening brief (for 00-3744 and 00-4152) filed 3/8/02.
 William Tankersley's brief (in 02-1268) filed 3/29/02.
 Commission's consolidated brief filed 5/16/02.
 Reply by William Tankersley filed 6/19/02.
 Oral argument held 9/27/02.
 Decision denying both of Tankersley's appeals and ruling in the
 Commission's favor on its cross-appeal, entered 11/26/02.
 Petition for rehearing pro se by defendant William Tankersley filed 1/8/03;
 denied 1/23/03.

FTC v. TRAVEL EXPRESS INTERNATIONAL, INC., No. 1: 01-CV-0906-GET (N.D. Ga.)

Parties: Travel Express International, Inc.
Robert E. Lewis, II
Alan D. Humphries

Assigned Attorneys: Barbara E. Bolton (SER)
Harold Kirtz

Alleged Conduct: Deceptive practices in violation of Section 5 and the Telemarketing Sales Rule in connection with the marketing of vacation travel packages.

Status: Complaint filed 4/9/01.
Complaint amended 10/29/01.
Commission's and defendants' motions for summary judgment filed 6/3/02.
Responses filed 7/5/02.
Reply briefs filed 7/22/02.
Order denying Commission's motion for summary judgment and granting defendants' motion for summary judgment entered 11/15/02.
Defendants' motion for award of attorney's fees under the Equal Access to Justice Act, filed 2/13/03.
Commission's opposition to motion for attorney's fees filed 2/28/03.

FTC v. TREK ALLIANCE, INC., No. 02-9270 (C.D. Cal.)

Parties: Trek Alliance, Inc.
Trek Education Corporation, a/k/a World Wide Video Entertainment, Inc.
Vonflagg Corporation
Jeffrey Kale Flagg, a/k/a Kale Flagg
Richard Von Alvensleben, a/k/a Rich Von
Tiffani Von Alvensleben, a/k/a Tiffani Von
Harry M. Flagg

Assigned Attorneys: John D. Jacobs (WR-LA)
Jennifer M. Brennan
Marilyn E. Kerst (OGC)

Alleged Conduct: Deceptive practices in violation of Section 5 in connection with the sale of
the right to participate in a network marketing program.

Status: Complaint for injunctive and other equitable relief filed 12/6/02.
TRO with asset freeze and temporary receiver entered under seal 12/9/02.
Ex parte application by individual defendants for discharge of the
temporary receiver and to dissolve the TRO filed 12/20/02; denied
12/23/02.
Order extending TRO entered 12/23/02 and 3/20/03.
Preliminary injunction hearing set for 4/14/03.

FTC v. TYME LOCK 2000, INC., No. CV-S-02-1078-JCM-RJJ (D. Nev.)

Parties: Tyme Lock 2000 Inc., d/b/a United Family Services and USA Membership
Services
Total Resources, Inc.
Ruth R. Adams
Stella L. Aguilar

Assigned Attorneys: Janice L. Charter (WR-SF)
Jerome M. Steiner, Jr.

Alleged Conduct: Deceptive practices in violation of Section 5 and the Telemarketing Sales
Rule in connection with the telemarketing of nonexistent credit cards.

Status: Complaint filed 8/19/02.
TRO with asset freeze and receiver granted 8/19/02.
Preliminary injunction entered 9/4/02.
Amended preliminary injunction entered 9/18/02.

FTC v. UNITED FITNESS OF AMERICA, LLC, No. CV-S-02-0648 (D. Nev.)

Parties: United Fitness of America, L.L.C.
George Sylva
Tristar Products, Inc.
Kishore Mirchandani

Assigned Attorneys: Walter Gross (BCP/ENF)
Laureen Kapin
Robert Sussman
Elena Paoli
Robin Spector
Amy Lloyd
Joshua Millard

Alleged Conduct: Deceptive practices in violation of Section 5 in connection with the sale and promotion of an electronic abdominal exercise belt, Fast Abs.

Status: Complaint filed 5/7/02.
Defendants' motion to dismiss filed 7/17/02.
Commission's opposition to defendants' motion to dismiss filed 8/5/02.

FTC v. UNITED MEDIA PUBLISHING GROUP, INC., No. CV-03-628-AHM (PJWx) (C.D. Cal.)

Parties: United Media Publishing Group, Inc.
Mansour Pourmand

Assigned Attorney: Kenneth Abbe (WR-LA)

Alleged Conduct: Deceptive practices in violation of Section 5 in connection with the sale of advertisements.

Status: Complaint for injunction and other equitable relief filed 1/28/03.
Stipulated final judgment and order for permanent injunction and other equitable relief entered 1/28/03.

FTC v. UNIVERSAL GREETING CARD CORP., No. 02-21753 (S.D. Fla.)

Parties: Universal Greeting Card Corp.
Robert Ruffeino
Edward Jacobs
Wayne Hammond

Assigned Attorneys: Delores Gardner Thompson (BCP/MP)
Gary L. Ivens

Alleged Conduct: Deceptive practices in violation of Section 5 and the Franchise Rule in connection with the promotion and sale of greeting card business ventures.

Status: Complaint for injunctive and other equitable relief filed 6/12/02.
Order granting motion for TRO entered 6/13/02.
Stipulated preliminary injunction order entered 6/28/02.
Commission's motion for entry of default judgment against Robert Ruffeino filed 9/4/02; default judgment entered 9/5/02.
Commission's motion for 90-day stay of proceedings against defendants filed 9/9/02; granted 9/10/02.
Stipulated final judgment and permanent injunction order against Universal Greeting Card Corporation and Robert Ruffeino entered 12/17/02.
Stipulated final judgment and permanent injunction order against Edward Jacobs entered 12/17/02.
Stipulated final judgment and permanent injunction order against Wayne Hammond entered 12/17/02.

FTC v. VENDCO, LLC, No. CV-S-02-0816-RLH-PAL (D. Nev.)

Parties: Vendco, LLC
Curt Briguglio, a/k/a Curt Briggs
Johan Briguglio, a/k/a Jo Briggs

Assigned Attorneys: Joseph A. Lipinsky (NWR)
Thomas P. Rowan
Blaine T. Welsh (AUSA)

Alleged Conduct: Deceptive practices in violation of Section 5 and the Franchise Rule in connection with the promotion and sale of vending machine business ventures.

Status: Complaint filed 6/12/02.

Parties: Verity International, Ltd.
Automatic Communications Limited
Integretel, Inc.
eBillit, Inc.
Robert Green
Marilyn Shein

Assigned Attorneys: Lawrence Hodapp (BCP/MP)
David M. Torok
Marilyn E. Kerst (OGC)

Alleged Conduct: Deceptive and unfair practices in violation of Section 5 in connection with the billing of international calls over the Internet.

Status: Complaint filed and ex parte TRO entered 10/2/00.
Opinion granting preliminary relief entered 12/14/00.
Preliminary injunction entered 1/4/01.
Application for an order to show cause why defendants R. Green and M. Shein should not be held in civil contempt filed 1/31/01.
Second amended complaint adding defendant Automatic Comm. Ltd. filed 2/27/01.
Opinion holding defendants R. Green and M. Shein in civil contempt and ordering fines, arrest, and civil commitment, 5/1/01.
Cross-motion to partially vacate or modify preliminary injunction order filed 3/27/01; denied 5/14/01.
Motion to modify preliminary injunction, including its extension to ACL, filed 4/3/01; granted in part 5/14/01.
Notice of appeal of order denying motion to vacate or modify preliminary injunction by defendants Verity International, Robert Green and Marilyn Shein filed 6/8/01.
Order in district court inviting Federal Communication Commission to file amicus brief on certain jurisdictional issues and directing Commission to provide relevant documents entered 1/18/02.
FCC amicus brief on jurisdictional issues filed 2/27/02.
Stipulated final judgment and order for permanent injunction as to defendants Integretel, Inc. and eBillit, Inc. signed 11/21/02; entered 12/2/02.

FTC v. VITAL DYNAMICS, INC., No. 02-CV-9816 (C.D. Cal.)

Parties: Vital Dynamics, Inc., d/b/a ISIS
Geoffrey V. Knight
Mark D. Berman
Allen Smith

Assigned Attorney: Janet M. Evans (BCP/AP)

Alleged Conduct: Deceptive practices in violation of Sections 5 and 12 in connection with the sale of various herbal products and extracts.

Status: Complaint for permanent injunction and other equitable relief filed 12/23/02.
Stipulated final order for permanent injunction and settlement of claims for monetary relief entered 12/27/02.

FTC v. WADE COOK FINANCIAL CORP., No. C00-1698Z (W.D. Wash.)

Parties: Wade Cook Financial Corporation
Stock Market Institute of Learning, Inc.
Wade Cook, defendant in contempt action only

Assigned Attorneys: Eleanor Durham (NWR)
Randy Brook
Patricia Leigh

Alleged Conduct: Civil contempt action for repeated violations of consent decree.

Status: Complaint for permanent injunction and other equitable relief filed 10/5/00.
Consent decree entered 10/13/00.
Motion asking court to hold in contempt Wade Cook Financial Corporation and Stock Market Institute of Learning, Inc. filed 2/20/02.
Stipulated continuance and preliminary order to comply with one part of requested relief entered 3/6/02.
Stipulated continuance entered 9/6/02.
Stipulated order for redress and arbitration of disputed claims entered 11/8/02.
Commission's motion asking the Court to reduce the judgment, modify the claims of evaluation process and order Cook to disclose his personal assets filed 3/5/03.

FTC v. WESTCAL EQUIPMENT, INC., No. C02-1783 (W.D. Wash.)

Parties: Westcal Equipment, Inc., d/b/a Pioneer First
PF Member Services, Inc.
Robert Barr
Candace Rodriguez
Charles Schmidt
Wayne Wrath

Assigned Attorneys: Eleanor Durham (NWR)
Patricia A. Hensley
Kathryn C. Decker

Alleged Conduct: Deceptive practices in violation of Section 5 and the Telemarketing Sales
Rule in connection with the telemarketing of advance fee credit cards.

Status: Complaint filed 8/19/02.
TRO entered 8/21/02.
Stipulated preliminary injunction as to Robert Barr and Candace
Rodriguez entered 9/11/02.
Preliminary injunction as to Westcal Equipment, Inc. and PF Member
Services, Inc. entered 9/11/02.
TRO and order to show cause as to Wayne Wrath and Charles Schmidt
dissolved 9/11/02.
Defendants Charles Schmidt and Wayne Wrath dismissed 12/9/02.
Default judgment as to Westcal Equipment, Inc. and PF Member Services,
Inc. entered 12/11/02.
Final order entered 3/26/03.

FTC v. WORLD MEDIA BROKERS INC., No. 02C-6985 (N.D. Ill.)

Parties: World Media Brokers Inc., a/k/a 913062 Ontario Inc.
1165107 Ontario Inc., also d/b/a Canadian Catalogue, Canadian Catalogue
Services, CCS, and Interwin Marketing
Faby Games Inc., a/k/a 1106759 Ontario Inc., also d/b/a Canadian
Catalogue Services, and CCS
624654 Ontario Limited, also d/b/a Express Sales, Express Marketing
Services, EMS, and First Telegroup Marketing
637736 Ontario Limited, also d/b/a Express Marketing Services and EMS
537721 Ontario Inc., also d/b/a Canadian Express Club
Express Marketing Services LTD., also d/b/a EMS
Cash & Prizes, Inc.
Intermarketing Services, Inc.
George Yemec
Anita Rapp
Steven Rapp
Paul Teskey
Jean-Paul Teskey
Dean Temple

Assigned Attorney: David O'Toole (MWR)

Alleged Conduct: Deceptive practices in violation of Section 5 and the Telemarketing Sales
Rule in connection with the telemarketing of foreign lottery tickets and
sweepstakes.

Status: Complaint filed 9/30/02.
TRO entered 10/1/02.
Stipulated preliminary injunctions entered 11/26/02.

CIVIL PENALTY AND ENFORCEMENT CASES³

(A) Consumer Protection

UNITED STATES v. ALPINE INDUSTRIES, INC., Nos. 01-5759, 00-5553 (6th Cir.); No. 2:97-CV-509 (E.D. Tenn.)

Parties: Alpine Industries, Inc.
William J. Converse

Assigned Attorneys: Elena I. Paoli (BCP/ENF)
Michele Arington (OGC)
Elizabeth Stein (DOJ/CIV)
Peter R. Maier

Nature of Action: Action for civil penalties, injunctive and other relief for violations of prior Commission consent order.

Status: Complaint filed 12/30/97.
United States motion for partial summary judgment filed 6/30/99.
Trial began 9/29/99.
Jury ruling in favor of United States entered 11/1/99.
Interim injunction incorporating jury verdict entered 1/12/00.
Defendants' motion to dissolve interim injunction filed 2/11/00;
opposition filed 2/28/00; motion denied by order entered 4/10/00.
Notice of appeal from 4/10/00 injunction filed 4/28/00.
Motion for an order to show cause why defendants and non-parties who aided them in violating the injunction should not be held in civil contempt filed 4/11/00; opposition filed by defendants, 5/1/00; opposition filed by non-parties, 6/9/00; United States reply filed 6/19/00; settlement resolving contempt issues filed and entered 9/12/00.
Defendants' motion in district court for stay of 4/10/00 injunction pending appeal filed 5/3/00; opposition filed 5/22/00; motion denied by order entered 6/7/00.
Defendants' motion in court of appeals for stay pending appeal filed 7/21/00; opposition filed 7/28/00; defendants' reply filed 8/8/00; motion denied without prejudice 8/14/00.
Defendants' brief (on appeal from preliminary injunction) filed 10/30/00.

³ Includes all suits in which civil penalties are sought; consumer redress, injunctions, and ancillary equitable relief may also be sought.

United States' brief filed 12/6/00.
Defendants' reply filed 12/20/00.
Penalties portion of civil penalties trial held 1/16-1/23/01.
Final judgment with \$1.49 million in civil penalties entered 4/5/01.
Defendants' notice of appeal (No. 01-5759) from final judgment filed
6/15/01.
Motion to dismiss defendants' appeal of preliminary injunction granted
6/18/01.
Appellants' proof brief (on appeal from final judgment) filed 9/4/01.
United States' proof brief filed 10/18/01; final brief filed 11/28/01.
Appellants' proof reply brief filed 11/1/01; final briefs filed 12/4/01.
Oral argument held on 12/4/02.

UNITED STATES v. AMERICAN VENDING VENTURES GROUP, INC., No. 02-CV-21766
(S.D. Fla.)

Parties: American Vending Ventures Group, Inc.
Jamie Hagen
Leland Balber
Peter Abrams

Assigned Attorneys: Colleen Robbins (BCP/MP)
Jeffrey Steger (DOJ/CIV)

Nature of Action: Action for civil penalties, injunctive, and other relief for violations of the
Franchise Rule in connection with personal care product vending machine
business ventures.

Status: Complaint for civil penalties, consumer redress, permanent injunction, and
other equitable relief filed 6/12/02.
Motion by the United States for summary judgment as to liability filed
2/28/03.
Response by Peter Abrams to motion for summary judgment as to liability
filed 3/14/03.
Reply by the United States in support of motion for summary judgment filed
3/21/03.

UNITED STATES v. BRAKEGUARD PRODUCTS, INC., No. C01-686P (W.D. Wash.)

Parties: Brake Guard Products, Inc.
Brake Guard LLC (Nev.)
Brake Guard LLC (Wash.)
Ed F. Jones, a/k/a Ellsworth F. Jones
Lawrence H. Jones
Kimberly Bennett

Assigned Attorneys: J. Reilly Dolan (BCP/ENF)
Allan Gordus (DOJ/CIV)
Brian Kipnis

Nature of Action: Action for civil penalties, injunctive and other relief for violations of Commission's cease and desist order, and for deceptive practices in violation of Section 5 in connection with the marketing and sale of motor vehicle braking systems.

Status: Complaint and motion for preliminary injunction filed 5/11/01.
Defendant Ed F. Jones' dismissal from case due to his death 7/1/01.
Order granting leave to serve Lawrence H. Jones by publication entered 12/4/01.
Application for entry of default as to all defendants except Lawrence H. Jones filed 1/11/02.
Default as to Ed F. Jones and corporate defendants entered 1/31/02.
Application for entry of default as to Lawrence H. Jones filed 3/13/02.
Order granting preliminary injunction entered 3/20/02.
Default as to defendant Lawrence H. Jones entered 4/19/02.
Motion by defendant Lawrence H. Jones to vacate entry of default filed 4/26/02; granted 6/26/02.
Government's motion for entry of default as to defendant Lawrence H. Jones filed 7/9/02.
Order granting entry of default judgment and permanent injunction against defendants Brake Guard Products, Inc., Brake Guard LLC (Nev.), Brake Guard LLC (Wash.), and Kimberly Bennett entered 7/31/02.
Amended answer by defendant Lawrence H. Jones filed 8/6/02.
Commission's motion to strike affirmative defenses filed 8/23/02; granted 3/7/03.
Pre-trial conference set for 4/25/03.
Jury trial set for 5/5/03.

UNITED STATES v. CENTURY PLACEMENTS, INC., No. 6:02-CV-680-ORL-28KRS (M.D. Fla.)

Parties: Century Placements, Inc.
Martel, Inc.
Mark Miller

Assigned Attorneys: Daniel Salsburg (BCP/MP)
Douglas Stearn (DOJ/CIV)

Nature of Action: Action for civil penalties, injunctive, and other relief for violations of the Franchise Rule for in connection with snack and candy vending machine business ventures.

Status: Complaint for civil penalties, consumer redress, permanent injunction, and other equitable relief filed 6/13/02.

UNITED STATES v. CONVERSE, No. 01-CV-212 (E.D. Tenn.)

Parties: William J. Converse
Alpine Industries, Inc.
Eva J. Converse
BRGC, Inc.
Michael J. Jackson
Ecoquest International, Inc.
Conjack Enerprises, LLC
Best Investments, Inc.
Environmental Health Services, Inc.
Alpine Technologies, Inc.

Assigned Attorneys: Elena I. Paoli (BCP/ENF)
Elizabeth Stein (DOJ/CIV)

Nature of Action: Action to collect federal debt of \$1.49 million in civil penalties under the Federal Debt Collection Procedures Act.

Status: Complaint filed 7/23/01.
Answer filed 10/12/01.
Stipulated judgment and order entered 3/31/03.

UNITED STATES v. ESPRESSO ITALIA MARKETING, INC., No. 02-80545-CIV-
HURLEY/LYNCH (S.D. Fla.)

Parties: Espresso Italia Marketing, Inc.
Shadd Vickory
Patrick Albright

Assigned Attorneys: Colleen Robbins (BCP/MP)
Sondra Mills (DOJ/CIV)

Nature of Action: Action for civil penalties, injunctive, and other relief for violations of
Section 5 and the Franchise Rule for in connection with espresso-
cappuccino vending machine business ventures.

Status: Complaint for civil penalties, consumer redress, permanent injunction, and
other equitable relief filed 6/12/02.
Motion for preliminary injunction filed 3/10/03.
Motion by the United States for summary judgment as to liability filed
3/10/03.
Defendants' motion to strike motion for summary judgment as to liability
filed 3/17/03.
Defendants' response to motion for preliminary injunction filed 3/17/03.
United States' response in opposition to motion to strike motion for
summary judgment as to liability filed 3/20/03.
United States' reply in support of motion for preliminary injunction filed
3/24/03.
Jury trial date reset for 6/9/03.

UNITED STATES v. GLOBAL VENDING SERVICES, INC., No. CV-S-0817-PMP-PAL (D. Nev.)

Parties: Global Vending Services, Inc.
Nicholas G. Chomakos, a/k/a Nick Choma
Matthew A. Capicchioni, a/k/a Matt Capi

Assigned Attorneys: Colleen Robbins (BCP/MP)
Elizabeth Stein (DOJ/CIV)

Nature of Action: Action for civil penalties, injunctive, and other relief for violations of the Franchise Rule in connection with snack and soda vending machine business ventures.

Status: Complaint for civil penalties, consumer redress, permanent injunction, and other equitable relief filed 6/12/02.
Commission's motion for partial summary judgment as to liability filed 2/13/03; granted 3/12/03.

UNITED STATES v. HERSEY FOODS CORPORATION, No. 4:03-CV-00350 (M.D. Pa.)

Party: Hershey Foods Corporation

Assigned Attorneys: Linda K. Badger (WR-SF)
Matthew D. Gold
Dennis C. Pfannenschmidt (AUSA)

Nature of Action: Action for civil penalties, injunctive and other equitable relief for violations of Section 5 and the Children's Online Privacy Protection Rule in connection with obtaining personal information from children through the operation of defendant's website.

Status: Complaint for civil penalties, injunctive and other equitable relief filed 2/26/03.
Consent decree entered 3/6/03.

UNITED STATES v. MERCHANT PAYMENT SOLUTIONS, INC., No. 4:02-CV-93-3 (M.D. Ga.)

Parties: Merchant Payment Solutions, Inc.
Steven Todd Knight

Assigned Attorneys: Colleen Robbins (BCP/MP)
Jeffrey Steger (DOJ/CIV)

Nature of Action: Action for civil penalties, injunctive, and other relief for violations of the Franchise Rule for in connection with miniature automatic teller machine business ventures.

Status: Complaint for civil penalties, consumer redress, permanent injunction, and other equitable relief filed 6/12/02.

UNITED STATES v. MRS. FIELDS FAMOUS BRANDS, INC., No. 03-CV-205 (D. Utah)

Parties: Mrs. Fields Famous Brands, Inc.
Mrs. Fields' Holding Company, Inc.
Mrs. Fields' Original Cookies, Inc.

Assigned Attorneys: Laura Fremont (WR-SF)
Kerry O'Brien
Carlie Christensen (AUSA)

Nature of Action: Action for civil penalties, injunctive and other equitable relief for violations of Section 5 and the Children's Online Privacy Protection Rule in connection with obtaining personal information from children through the operation of defendants' website.

Status: Complaint for civil penalties, injunctive and other equitable relief filed 2/25/03.

UNITED STATES v. NATIONWIDE PREMIUM CIGAR DISTRIBUTORS CORP., No. 02-60811 (S.D. Fla.)

Parties: Nationwide Premium Cigar Distributors Corp.
Alvin Blish

Assigned Attorneys: Colleen Robbins (BCP/MP)
Richard Goldberg (DOJ/CIV)

Nature of Action: Action for civil penalties, injunctive, and other relief for violations of the Section 5 and Franchise Rule in connection with cigar distributorship business ventures.

Status: Complaint for civil penalties, consumer redress, permanent injunction, and other equitable relief filed 6/12/02.
Motion by the United States for entry of default as to defendant Nationwide Premium Cigar Distributors Corp. filed and granted 11/14/02.
Motion for entry of judgment against Nationwide Premium Cigar Distributors Corp. filed 1/23/03.
Joint notice of settlement with Alvin Blish filed 3/6/03.

UNITED STATES v. NORTH AMERICAN VENDING, INC., No. 2:02-cv-572 (D. Utah)

Parties: North American Vending, Inc.
Terry D. Bird

Assigned Attorneys: Colleen Robbins (BCP/MP)
Alan Phelps (DOJ/CIV)

Nature of Action: Action for civil penalties, injunctive, and other relief for violations of the Franchise Rule in connection with bulk vending machine business ventures.

Status: Complaint for civil penalties, consumer redress, permanent injunction, and other equitable relief filed 6/12/02.

UNITED STATES v. PEOPLEPC, INC., No. C-02-4054 (N.D. Cal.)

Party: PeoplePC, Inc.

Assigned Attorneys: Linda K. Badger (WR-SF)
Kerry O'Brien
Jocelyn Burton (AUSA)
Elizabeth Stein (DOJ/CIV)

Nature of Action: Action for civil penalties, injunctive, and other relief for violations of the Mail Order Rule and the Pre-Sale Availability Rule for untimely delivery of PCs, computer peripherals, and Internet access service.

Status: Complaint for civil penalties, injunctive and other relief filed 8/22/02.
Consent decree entered 12/12/02.

UNITED STATES v. PELLE PELLE, INC., No. 03-70458 (E.D. Mich.)

Party: Pelle Pelle, Inc.

Assigned Attorneys: Constance M. Vecellio (BCP/ENF)
Elizabeth Stein (DOJ/CIV)

Alleged Conduct: Violation of The Care Labeling Rule in connection with the sale of men's casual wear.

Status: Complaint for civil penalties, injunctive, and other relief filed 2/4/03.
Consent decree entered 2/6/03.

UNITED STATES v. PERFUMES UNLIMITED, INC., No. 02-21767 (S.D. Fla.)

Parties: Perfumes Unlimited, Inc.
Ignacious Goldenberger, a/k/a Goldemberg a/k/a Ignacio Goldenberg
Lon Finkelstein
Robert Duke

Assigned Attorneys: Colleen Robbins (BCP/MP)
Richard Goldberg (DOJ/CIV)

Nature of Action: Action for civil penalties, injunctive, and other relief for violations of the Franchise Rule and Section 5 in connection with perfume and cologne display rack business ventures.

Status: Complaint for civil penalties, consumer redress, permanent injunction, and other equitable relief filed 6/12/02.
Motion by the United States for leave to amend complaint filed 11/1/02.
Order to show cause why the motion for leave to join additional defendants Lon Finkelstein and Robert Duke should not be granted by default entered 12/16/02.
Amended complaint, adding defendants Lon Finkelstein and Robert Duke, filed 1/17/03.
Jury trial date reset for 3/22/04.

UNITED STATES v. PROCHNOW, No. 1 02-CV-917 (N.D. Ga.)

Parties: Richard L. Prochnow
Dennis H. Goughion
Ronald Altbach
Media Outsourcing, Inc.
Cross Media Marketing Corporation

Assigned Attorneys: James Prunty (BCP/ENF)
Louise R. Jung
Robert M. Frisby
Elizabeth Stein (DOJ/CIV)

Nature of Action: Action for civil penalties, injunctive and other relief for violations of Section 5, the Telemarketing Sales Rule, and a prior FTC cease and desist order.

Status: Complaint filed 4/9/02.

UNITED STATES v. SUPERIOR HOSPITALITY, No. 02-CV-2856 (D.N.J.)

Parties: Superior Hospitality
Robert S. Baxter

Assigned Attorneys: Colleen Robbins (BCP/MP)
Sondra Mills (DOJ/CIV)

Nature of Action: Action for civil penalties and other relief for violations of Section 5 and the Franchise Rule in connection with the offering of sale and sale of candy and snack vending machine business ventures.

Status: Complaint for civil penalties, consumer redress, permanent injunction and other equitable relief filed 6/14/02.
Request by United States for default against Superior Hospitality and Robert S. Baxter for failure to appear filed 10/17/02.
Default as to Superior Hospitality and Robert S. Baxter for failure to appear entered 10/17/02.

UNITED STATES v. TURNKEY VENDING, INC., No. 1:02-CV-00075 (D. Utah)

Parties: Turnkey Vending, Inc.
Michael S. Burnett
Jeffrey L. Marsh

Assigned Attorneys: Colleen Robbins (BCP/MP)
Alan Phelps (DOJ/CIV)

Nature of Action: Action for civil penalties and other relief for violations of the Franchise Rule and Section 5 in connection with business opportunities involving tabletop quarter vending skill business ventures.

Status: Complaint for civil penalties, consumer redress, permanent injunction, and other equitable relief filed 6/12/02.
Amended complaint for civil penalties, consumer redress, permanent injunction and other equitable relief adding defendant Jeffrey L. Marsh filed 1/9/03.

UNITED STATES v. UNIVEND, LLC, No. 02-0433-P-L (S.D. Ala.)

Parties: Univend, LLC
Paul Hall

Assigned Attorneys: Colleen B. Robbins (BCP/MP)
Alan Phelps (DOJ/CIV)

Nature of Action: Action for civil penalties and other relief for violations of Franchise Rule and Section 5 in connection with candy and soda vending machine business opportunities.

Status: Complaint for civil penalties, consumer redress, permanent injunction, and other equitable relief filed 6/12/02.
Motion by United States and defendants to stay case for 60 days filed 12/11/02; granted 12/16/02.
Stipulated judgment and order for permanent injunction entered 2/13/03.

(B) Competition

UNITED STATES v. BOSTON SCIENTIFIC CORP., No. 00 CV 12247 (D. Mass.)

Party: Boston Scientific Corporation

Assigned Attorneys: Anne R. Schenof (BC/COMP)
Kenneth A. Libby
Anita Johnson (AUSA)
Drake Cutini (DOJ/CIV)
Patrick Jasperse

Nature of Action: Action for civil penalties, injunctive and other relief for violations of prior Commission consent order.

Status: Complaint filed 10/31/00.
Motion to dismiss by defendant filed 11/29/00.
Opposition and cross-motion for summary judgment filed 2/9/01.
Defendant's reply on its motion to dismiss and opposition to plaintiff's
motion for partial summary judgment filed 4/6/01.
United States' reply to defendant's opposition to its motion for partial
summary judgment filed 5/21/01.
Oral argument on defendant's motion to dismiss and United States' cross-
motion for partial summary judgment held 6/21/01.
Order granting in part government's motion for partial summary judgment
entered 9/28/01.
Order granting summary judgment in part (on counts 1 and 5) and denying
in part (on counts 2 through 4) entered 10/3/01.
Answer to complaint filed 10/15/01.
Motion for reconsideration as to Count V filed 10/16/01.
Opposition to motion to reconsider filed 10/30/01.
Trial held 8/5/02 - 8/9/02 and 9/17/02 - 9/20/02.
Memorandum and Order denying defendant's motion for reconsideration
as to Count V entered 8/8/02.
Memorandum and Order directing Boston Scientific to pay civil penalties in
the amount of \$7.040 million entered 3/28/03.

SUBPOENA AND CID ENFORCEMENT PROCEEDINGS⁴

FTC v. LOREE & LORD, No. 02-6212 (2d Cir.); No. M18-304 (S.D.N.Y.)

Parties: Loree & Lord
Paige Loree Hensley

Assigned Attorney: Lawrence DeMille-Wagman (OGC)

Nature of Action: Action to enforce a civil investigative demand.

Status: Petition filed 7/12/02.
Order to show cause entered 7/12/02.
Hearing to show cause held 7/29/02.
Order requiring compliance with the CID entered 7/29/02.
Motion to vacate order filed 8/6/02; denied 8/8/02.
Notice of appeal filed 8/15/02.
Commission's motion for an order holding respondents in civil contempt
filed 10/2/02.
Second order by the district court requiring respondents to comply with
CID entered 10/25/02.

FTC v. MOREHEAD McKIM GALLAHER FUNERAL DIRECTORS, INC., No. M18-304
(S.D.N.Y.)

Party: Morehead McKim Gallaher Funeral Directors, Inc.

Assigned Attorney: Lawrence DeMille-Wagman (OGC)

Nature of Action: Action to enforce civil investigative demand.

Status: Petition filed 6/7/02.
Order to show cause entered 6/7/02.
Hearing to show cause held 6/28/02.
Order requiring compliance with CID entered 6/28/02.
Commission's motion for an order holding respondents in civil contempt
filed 10/3/02.
Order holding respondents in contempt entered 10/25/02.

⁴ Includes suits to enforce compliance with waiting periods prescribed by Section 7A of the Clayton Act, 15 U.S.C. § 18a.

FTC v. PW MARKETING, 02-CV-2146 (C.D. Cal.)

Party: PW Marketing LLC

Assigned Attorney: Timothy T. Hughes (OGC)

Nature of Action: Action to enforce civil investigative demand.

Status: Petition and motion to show cause filed 3/14/02.
Order to show cause granted 3/15/02.
Oral argument held 4/22/02.
Order requiring compliance with civil investigative demand entered 4/22/02.
Order finding PW Marketing, LLC, Paul Willis and Claudia Jean Griffin to
be in contempt entered 12/11/02.
Commission's application for issuance of warrants for arrest of Paul Willis
and Claudia Jean Griffin filed 3/20/03; warrants issued 3/25/03.

SUITS TO ENJOIN FTC ACTION AND OTHER DEFENSIVE LITIGATION

AMERICAN BAR ASSOCIATION v. FTC, No. 02-1883 (RBW) (D.D.C.)

Party: American Bar Association

Assigned Attorneys: Michael D. Bergman (OGC)
Brian Sonfield (AUSA)

Nature of Acton: Action for declaratory relief challenging the Commission's refusal to grant an exception to certain members of the Bar from the privacy provisions set forth in Title V of the Gramm-Leach-Bliley Act.

Status: Complaint filed 9/25/02.
Commission's motion to dismiss filed 12/9/02.
Plaintiff's opposition to motion to dismiss filed 1/10/03.
Amicus brief of state bar associations filed 1/28/03.
Amicus brief of Conference of Chief Justices (CCJ) filed 2/21/03.
Commission's reply in support of motion to dismiss filed 2/25/03.
Commission's response to CCJ amicus brief filed 3/4/03.

FEDERAL TRANSTEL, INC. v. ADVANCED WEB SOLUTIONS, INC., No. 2001CV38216
(Ga. Super.Ct.)

Parties: Advanced Web Solutions, Inc., f/k/a Web Valley, Inc., f/k/a Profile
National Business Directory, Inc. (co-defendant)
Federal Trade Commission (co-defendant)

Assigned Attorneys: Rolando Berrelez (MWR)
Alonzo H. Long (AUSA)
Joan Humes (AUSA)

Nature of Action: Action for declaratory judgment and money damages following a settlement agreement between the Advanced Web Solutions, Inc. and the Commission, attempting to enjoin the Commission from collecting assets held by the plaintiff. Plaintiff claims defendant breached a contract by signing the rights of the assets over to the Commission.

Status: Complaint filed 5/22/01.
Defendant's notice to remove case to federal court filed 7/19/01.
Defendant's motion to dismiss or, alternatively, for change of venue filed 8/17/01.
Order staying all actions after Federal Transtel's 12/11/01 filing of petition for bankruptcy entered 5/1/02.

THE LAKIN LAW FIRM PC v. FTC, No. 03-1689 (7th Cir.); No. 02-1121-DRH (S.D. Ill.)

Party: The Lakin Law Firm PC

Assigned Attorneys: Marilyn Kerst (OGC)
Alysa Stiefel

Nature of action: Action under Freedom of Information Act and Administrative Procedure Act.

Status: Complaint filed 11/02/02.
Commission's motion to dismiss filed 12/05/02.
Plaintiff's opposition to motion to dismiss filed 12/12/02.
Commission's reply in support of motion to dismiss filed 12/20/02.
Commission's motion for a protective order filed 12/31/02.
Plaintiff's response filed 1/9/03.
Order granting motion to dismiss and judgment in favor of the Commission, dismissing the case with prejudice, entered 3/4/03.
Plaintiff's notice of appeal filed 3/11/03.
Appellant's brief due 4/28/03.
Commission's brief due 5/28/03.

MAINSTREAM MARKETING SERVICES, INC. v. FTC, No. 03-N-184 (D. Colo.)

Parties: Mainstream Marketing Services, Inc. (plaintiff)
TMG Marketing, Inc. (plaintiff)
American Teleservices Association (plaintiff)
Timothy Muris (defendant)
Sheila Anthony (defendant)
Mozelle Thompson (defendant)
Orson Swindle (defendant)
Thomas Leary (defendant)
J. Howard Beals (defendant)

Assigned Attorney: Lawrence DeMille-Wagman (OGC)

Nature of Action: Suit challenging the amendments to the Telemarketing Sales Rule.

Status: Complaint filed 1/29/03.

NEW YORK STATE BAR ASS'N v. FTC, No. 02-810 (RBW) (D.D.C.)

Party: New York State Bar Association (plaintiff)

Assigned Attorneys: Michael D. Bergman (OGC)
Brian J. Sonfield (AUSA)

Nature of Action: Action for declaratory judgment challenging the Commission's refusal to grant an exception to lawyers from the privacy requirements of the Gramm-Leach-Bliley Act and implementing regulations.

Status: Complaint filed 4/29/02.
Commission's motion to dismiss filed 7/1/02.
Plaintiff's opposition to motion to dismiss filed 9/16/02.
Amici brief in support of plaintiff's opposition filed 9/30/02.
Commission's response to amici brief filed 10/2/02.
Commission's reply in support of motion to dismiss filed 11/18/02.
Plaintiff's surreply filed 11/27/02.
Commission's response to plaintiff's surreply filed 12/11/02.

NORTH AMERICAN BROADCASTING, LLC v. FTC, No. CV-00-10421 AHM (RCx) (C.D. Cal.)

Parties: North American Broadcasting, LLC (plaintiff)
Brian Moldo (co-defendant)

Assigned Attorney: Lawrence DeMille-Wagman (OGC)

Nature of Action: Action under 42 U.S.C §§ 1983 and 1988 to secure monetary relief for alleged violations of plaintiff's due process and other constitutional rights.

Status: Complaint filed 9/28/00.
Stipulated agreement to stay proceedings for six months filed 1/9/01;
entered 1/11/01.
Order continuing stay entered 6/18/01.

NORTH CAROLINA BAR ASSOCIATION v. FTC, No. 5:02-CV-941-BO(3) (E.D.N.C.)

Party: North Carolina Bar Association (plaintiff)

Assigned Attorneys: Michael D. Bergman (OGC)
R.A. Renfer, Jr. (AUSA)

Nature of Action: Action for declaratory judgment challenging the Commission's refusal to grant an exception to lawyers from the privacy requirements of the Gramm-Leach-Bliley Act and implementing regulations.

Status: Complaint filed 12/27/02
Commission's motion to transfer case filed 1/24/03.
Plaintiff's response to motion to transfer filed 2/18/03.
Commission's reply in support of motion to transfer filed 3/17/03.

PEDERSON v. TRILEGIANT CORP., Nos. 02-MISC-67-GPM, 02-1027-DRH (S.D. Ill.); No. 01-L-1126 (Third Judicial Circuit, Madison County, Ill.)

Parties: Carlene N. Pederson, plaintiff
Trilegiant Corp., a/k/a Cendant Membership Services

Assigned Attorneys: Marilyn E. Kerst (OGC)
Alysa Stiefel

Nature of Action: Class action lawsuit against financial service provider alleging “cramming.”

Status: Subpoena to the Commission issued by state court 7/31/02.
State court order to show cause entered 8/22/02.
Federal court subpoena pursuant to letters rogatory from state court (02-MISC-67) issued 8/26/02.
Notice of removal from state court entered 9/18/02; case assigned to federal court civil action No. 02-1027.
Commission’s response to show cause order (02-1027) filed 9/27/02;
plaintiff’s brief in support of show cause order filed 10/15/02;
Commission’s response filed 10/24/02.
Commission’s motion to quash subpoena (02-1027) filed 9/27/02;
plaintiff’s opposition filed 10/3/02.
Commission’s motion to vacate order and quash subpoena (02-MISC-67) filed 9/27/02; plaintiff’s opposition filed 10/07/02; Commission’s reply filed 10/15/02; oral argument held 10/21/02; order granting motion to vacate and quash entered 10/31/02.
Plaintiff’s motion to remand (02-1027) filed 9/30/02; Commission’s opposition filed 10/10/02; magistrate’s report and recommendation that court deny plaintiff’s motion to remand issued 11/15/02.
Plaintiff’s motion to compel (02-MISC-67) filed 10/7/02; Commission’s opposition filed 10/18/02; plaintiff’s reply filed 10/21/02.
Plaintiff’s motion to compel (02-1027) filed 10/16/02; Commission’s opposition filed 10/24/02; magistrate’s order denying motion to compel issued 11/15/02.
Plaintiff’s motion to alter or amend magistrate’s report and recommendation re motion to remand (02-1027) filed 11/25/02; plaintiff’s objections to magistrate’s report and recommendation filed 12/03/02; Commission’s opposition filed 12/12/02; plaintiff’s reply filed 12/16/02.
Memorandum and order (02-1027) denying plaintiff’s motion to remand entered 1/2/03; plaintiff’s response to order filed 1/6/03; Commission’s response to plaintiff’s response filed 1/21/03; plaintiff’s reply filed 1/22/03.
Memorandum and order quashing the subpoena and dismissing the case with prejudice entered 2/24/03.

R.J. REYNOLDS TOBACCO COMPANY v. FTC, No. 01-0623 (D.D.C.)

Party: R.J. Reynolds Tobacco Company (RJR)

Assigned Attorney: Leslie R. Melman (OGC)

Nature of Action: Action to compel the production of documents under FOIA.

Status: Complaint filed 3/21/01.
Answer filed 5/4/01.
Motion to quash subpoena issued to Food and Drug Administration filed 1/4/02.
Commission motion for summary judgment filed 3/11/02.
RJR motion for summary judgment filed 3/11/02.
RJR's response in opposition to Commission's motion for summary judgment filed 3/26/02.
Commission's response in opposition to RJR's motion for summary judgment filed 4/10/02.
Commission's reply to RJR's response to Commission's summary judgment filed 4/19/02.
RJR's reply to Commission's response to RJR's summary judgment filed 5/3/02.
Order granting Commission's motion for summary judgment entered 3/27/03.

STONEBRIDGE LIFE INSURANCE CO. v. FTC, No. 03-739-RJL (D.D.C.)

Party: Stonebridge Life Insurance Co. (plaintiff)

Assigned Attorney: Lawrence DeMille-Wagman (OGC)

Nature of Action: Challenge to the amendments to the Telemarketing Sales Rule.

Status: Complaint and motion for TRO filed 3/21/03.
Commission's opposition to TRO filed 3/26/03.
Plaintiff's reply regarding TRO filed 3/27/03.
Hearing regarding plaintiff's motion for TRO held 3/28/03.
Order denying TRO entered 3/28/03.

U.S. SECURITY, CHARTERED BENEFIT SERVICES, INC. v. FTC, No. 03-122-W (W.D.
Okla.)

Parties: U.S. Security, Chartered Benefit Services, Inc. (plaintiff)
Global Contact Services, Inc. (plaintiff)
Infocision Management Corp. (plaintiff)
Direct Marketing Association (plaintiff)

Assigned Attorney: Lawrence DeMille-Wagman (OGC)

Nature of Action: Challenge to the amendments to the Telemarketing Sales Rule.

Status: Complaint filed 1/29/03.
Plaintiffs' motion for a preliminary injunction filed 3/10/03.
Plaintiffs' first amended complaint filed 3/14/03.
Commission's response to motion for a preliminary injunction filed
3/20/03.
Plaintiffs' reply to motion for a preliminary injunction filed 3/24/03.
Hearing on motion for a preliminary injunction held 3/25/03.
Order denying motion for a preliminary injunction entered 3/26/03.
Commission's answer filed 3/28/03.

AMICUS CURIAE BRIEFS or PARTIAL INTERVENTIONS

EMPAGRAN S.A., ET AL. v. F. HOFFMANN-LAROCHE, LTD., ET AL., No. 01-7115 (D.C. Cir.)

Assigned Attorney: John F. Daly (OGC)

Nature of Action: Private antitrust action, raising issues regarding the reach of the Sherman Act to foreign transactions that do not themselves have an effect on the U.S. commerce.

Status: Brief for the United States and the Federal Trade Commission as amici curiae in support of petition for rehearing en banc filed 3/24/03.

MADIGAN, ATTORNEY GENERAL OF ILLINOIS, v. TELEMARKETING ASSOCIATES, INC., No. 01-1806 (S. Ct.)

Assigned Attorneys: John F. Daly (OGC)
Lawrence DeMille-Wagman
Matthew Roberts (DOJ/OSG)

Nature of Action: Enforcement action by State of Illinois against fraud in charitable solicitation, in which defendant asserts First Amendment defense.

Status: Petition for certiorari filed 6/5/02.
Certiorari granted 11/5/02.
Joint brief of the United States and the Federal Trade Commission as amici curiae, supporting the State of Illinois, filed 12/24/02.
Argument heard 3/3/03.

POWERS v. HARRIS, et al., No. 03-6014 (10th Cir.); No. CIV-01-445-F (W.D. Okla.)

Assigned Attorneys: Maureen K. Ohlhausen (OPP)
Myra Howard (BCP/MP)

Nature of Action: Internet-based casket seller filed suit against the Oklahoma State Board of Embalmers and Funeral Directors alleging that Oklahoma's Funeral Services Licensing Act, which requires all sellers of funeral goods to be licensed funeral directors, violates the Interstate Commerce Clause of the United States Constitution.

Status: Memorandum of law of Commission as amicus curiae filed 9/5/02.
Decision upholding the state statute and denying the declaratory and
injunctive relief sought by plaintiffs entered 12/12/02.
Notice of appeal by plaintiff Kim Powers filed 1/10/03.

SMITHKLINE BEECHAM CORPORATION & BEECHAM GROUP, P.L.C. v. APOTEX CORPORATION, APOTEX, INC. & TORPHARM INC., Nos. 99-CV-4304, 00-CV-4888, 01-CV-159, 01-CV-2169 (E.D. Penn.)

Assigned Attorneys: Jeffrey W. Brennan (BC)
Lore A. Unt
Elizabeth R. Hilder
Seth C. Silber
David Dudley

Nature of Action: Patent infringement action for infringement of four patents for the drug "Paxil."

Status: Memorandum of law of Federal Trade Commission as amicus curiae concerning the motion of Apotex Corporation, Apotex Inc. and Torpharm Inc. for entry of an amended order filed 1/29/03.

VERIZON COMMUNICATIONS, INC. v. LAW OFFICES OF CURTIS V. TRINKO,
No. 02-682 (S. Ct.)

Assigned Attorney: John F. Daly (OGC)
Susan Creighton (BC)

Nature of Action: Private action against telephone local exchange carrier, alleging that the carrier violated Section 2 of the Sherman Antitrust Act by denying access to an “essential facility,” and engaging in “monopoly leveraging.”

Status: Petition for certiorari filed 11/1/02.
Brief for the United States and the Federal Trade Commission as amici curiae, urging grant of certiorari, filed 12/13/02.
Petition for certiorari granted 3/10/03.
Brief for petitioner due 5/23/03.